



भारत का संज्ञपत्र

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EXTRAORDINARY

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PART II — Section 2

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
 Separate paging is given to this Part in order that it may be filed as a separate compilation.

LOK SABHA

The following Bills were introduced in Lok Sabha on 22nd November, 2019:—

BILL NO. 201 OF 2019

A Bill further to amend the Constitution of India.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

1. This Act may be called the Constitution (Amendment) Act, 2019. Short title.
2. Article 44 of the Constitution shall be omitted. Omission of article 44.
3. After Part IVA of the Constitution, the following Part and articles thereunder shall be inserted, namely:— Insertion of new Part IVB.

"PART IVB

UNIFORM CIVIL LAW

51B. In this Part, unless the context otherwise requires, "the State" has the same meaning as in Part III. Definition.

51C. The State shall, within one year of coming into force of this Act, secure for the citizens a uniform civil code throughout the territory of India. " Uniform civil code for the citizens.

STATEMENT OF OBJECTS AND REASONS

The founding fathers of the Constitution while framing the Constitution of India have been instrumental in including uniform civil laws for all citizens throughout the country. It was therefore included as a Directive Principle of State Policy under article 44 which requires the State to secure for the citizens of India a Uniform Civil Code throughout the territory of India. However, even after sixty-nine years of the framing of the Constitution, the Uniform Civil Code is yet to be enacted.

India is a country of multi-religions and every religion has its own set of personal laws to govern their respective personal matters like marriages, adoption, succession, etc. However, no uniform personal law universally acceptable to all religious communities has been codified so far.

Uniform Civil Code being a Directive Principle of State Policy is not enforceable. Therefore in order to ensure uniformity, equality and social justice, it is imperative that a uniform civil code be codified at the earliest. A uniform civil code will not only help the society move forward but will take India towards its goal of becoming a developed nation.

The Bill, therefore, seeks to amend the Constitution with a view to provide for the citizens a uniform civil code throughout the territory of India.

Hence this Bill.

NEW DELHI;

AJAY BHATT

June 27, 2019.

BILL NO. 204 OF 2019

A Bill further to amend the Constitution of India.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

1. This Act may be called the Constitution (Amendment) Act, 2019.

Short title.

2. In the Eighth Schedule to the Constitution,—

Amendment
of the Eighth
Schedule.

(i) entries 5 to 9 shall be renumbered as entries 6 to 10, respectively, and—

(a) before entry 6 as so renumbered, the following entry shall be inserted, namely:—

"5. Garhwali.";

(b) after entry 10 as so renumbered, the following entry shall be inserted, namely:—

"11. Kumaoni."; and

(ii) existing entries 10 to 22 shall be renumbered as entries 12 to 24, respectively.

STATEMENT OF OBJECTS AND REASONS

The Eighth Schedule to the Constitution recognizes twenty-two languages as national languages of India being spoken and written by the citizens. It is believed that education, culture and intellectual pursuits get created and develop around these languages. But it is unfortunate that languages like Garhwali and Kumaoni spoken and written by millions of people having distinct culture have not yet been included in the Eighth Schedule.

The Garhwali language is being spoken since ancient times in the Kedarkhand region of Central Himalaya. However, when exactly the people started using this language in writings can be correctly answered by linguistics only. Prior to 13th century, when the Hindi language was not in existence, the official work of the State of Garhwal, spreading from Saharanpur to Himachal, was being done in Garhwali language. The donation box inscription dating back to the year 1335 during the reign of the Emperor Jagatpal in Devprayag temple, the 15th century script of Ajaypal in Devalgarh, the inscriptions on copper plates found at various places like Badrinath, Maldyul etc., are all evidences to prove that the Garhwali language is one of the oldest languages. According to Dr. Haridutt Bhatt Shailes, literature of 10th century is also available in this language.

Our country is a multilingual country. Some of the languages have been successful in maintaining their existence and dignity with time while other have been struggling hard to save their existence and dignity due to lack of adequate facilities of propagation. Garhwali and Kumaoni are two such languages amongst them.

Keeping in view the sentiments of the people of Central Himalayan region and linguaphiles, Garhwali and Kumaoni languages should be accorded the status and honour of national languages by including them in the Eighth Schedule to the Constitution. It is urgently required that necessary steps should be taken to propagate these languages. An academy for the development of these languages should also be set up on the lines of Hindi Academy, Urdu Academy, Punjabi and Sindhi Academy.

Such a step will not only help in propagation of these languages but would also save the ancient Himalayan culture and heritage from becoming extinct.

Hence this Bill.

NEW DELHI;
June 27, 2019.

AJAY BHATT

BILL No. 233 OF 2019

A Bill to provide for population control by adoption of small family norms and for matters connected therewith.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Population Control Act, 2019.

Short title,
extent and
commencement.

(2) It extends to the whole of India.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Definitions.

2. In this Act, unless the context otherwise requires:—

(a) "appropriate Government" means in the case of a State, the Government of that State and in all other cases, the Central Government;

(b) "child" includes an adopted child;

(c) "District Committee" means the District Population Control Committee constituted under section 7;

(d) "Fund" means the Population Control Fund constituted under section 13;

(e) "local officer" includes an officer or employee of Gram Panchayat and local urban bodies, principals of Government and non-Government schools and doctors of Government and aided private hospitals;

(f) "local representative" means representative elected by the public in Gram Panchayat and Urban local bodies;

(g) "person" means any married man or woman;

(h) "prescribed" means prescribed by rules made under this Act;

(i) "small family" means a family with two living children; and

(j) "State Committee" means the State Population Committee constituted under section 5.

No person to procreate more than two living children.

3. No person shall procreate more than two living children after a period of one year from the date of commencement of this Act.

Appropriate Government to encourage and promote small family norms.

4. (1) The appropriate Government shall encourage, promote and motivate married couples to opt for small family norms by providing them aid and incentives in such manner as may be prescribed.

(2) The appropriate Government may also provide such additional incentives, as may be prescribed, to the married couples who opt for having one living child only.

Constitution of State Population Control Committee.

5. (1) The appropriate Government shall, with prior permission of the Central Government, constitute a State Committee to be known as the State Population Control Committee for the implementation of the provisions of this Act.

(2) The State Committee shall consist of:—

(a) Principal Secretary/Secretary, Ministry of Health and Family Welfare in the State Government—Chairperson *ex-officio*;

(b) Principal Secretary/Secretary, Ministry of Panchayati Raj in the State Government—Member *ex-officio*;

(c) Principal Secretary/Secretary, Ministry of Urban Development in the State Government—Member *ex-officio*;

(d) Director General, Ministry of Health and Family Welfare in the State Government—Member-Secretary.

6. The State Committee shall—

(a) encourage, promote and motivate the newly married couples to opt for small family norms;

(b) prepare a list of couples who opt for small family norms and update the list, from time to time;

Function of the State Population Control Committee.

(c) provide reservation or preference in Government job to those couples who opt for small family norms;

(d) provide free legal aid to those who opt for small family norms; and

(e) supervise the functions of the District Committee.

7. (1) The appropriate Government shall, in consultation with the State Committee, constitute a District Committee to be known as the District Population Control Committee for every district under its jurisdiction for carrying out the purposes of this Act.

Constitution of District Population Control Committee.

(2) The District Committee shall consist of:—

(a) District Magistrate—Chairperson, *ex-officio*;

(b) one representative of Panchayat each at village, *Kshettra* or district level in the district—Member *ex-officio*;

(c) one representative of Municipal Council or Corporation, as the case may be, in the district—Member *ex-officio*;

(d) Chief Medical Officer—Member-Secretary.

(3) The term of the District Committee shall be five years.

8. The District Committee shall—

Functions of the District Population Control Committee.

(a) carry out the directions given by the State Committee, from time to time;

(b) encourage, promote and motivate the newly married couples to opt for small family norms; and

(c) propagate and disseminate within the district the provisions of this Act through the local officers and local representatives.

9. (1) The meetings of the State Committee and of District Committee shall be convened at least once in three months or every month at such place and on such time as may be prescribed, respectively.

Meetings of the State and District Committee(s).

(2) The Member-Secretary of the State Committee or the District Committee, as the case may be, shall call for the meeting with the permission of the Chairperson of the concerned Committee.

(3) The Member-Secretary of the State Committee or the District Committee, as the case may be, shall keep the minutes of the proceedings of meeting in such manner as may be prescribed.

(4) The State Committee or the District Committee, as the case may be, shall regulate its procedure.

(5) All orders and decisions of the State Committee or the District Committee, as the case may be, shall be duly authenticated by the Member-Secretary of the concerned Committee.

10. (1) Notwithstanding anything contained in section 3, a couple may opt to procreate more than two living children if—

Exceptions.

(a) the mother has been diagnosed with twins in womb after having one living child; or

(b) the couple has no child and the wife has been diagnosed in the medical checkup with three children in womb; or

(c) a person has one or more living children from his first marriage and the marriage has been dissolved by reasons of divorce or death of the couple spouse, in such case the person may opt to procreate two living children from second marriage.

(2) Any couple who intends to procreate more than two living children as provided under sub-section (1) shall apply to the District Committee for necessary permission in such manner as may be prescribed.

(3) The District Committee shall, on receipt of application under sub-section (2), examine the reasons furnished by the applicant and grant necessary permission within a period of one month from the date of receipt of application under sub-section (2), in such manner as may be prescribed:

Provided that if the District Committee is not satisfied with the reasons as specified by the applicant it may, after giving the applicant a reasonable opportunity of being heard, reject the application.

(4) If the District Committee deems it necessary to refer the application received under sub-section (2) to the State Committee, the State Committee shall communicate its decision to the applicant within a period of fifteen days from the date of receipt of such reference from the District Committee.

Officers and employees of Committee.

11. (1) The appropriate Government shall provide the State Committee and the District Committee, as the case may be, with such officers and employees as may be necessary for efficient performance of the functions assigned to them under this Act.

(2) The salary and allowances payable to and other terms and conditions of their services of the officers and other employees, shall be as may be prescribed.

Vacancies, etc. not to invalidate proceedings of commission.

12. No act or proceedings of the State Committee and the District Committee, as the case may be, shall be questioned or invalid on the ground of existence of any vacancy or defect in the constitution of the Committee(s).

Population control Fund.

13. (1) The Central Government shall, by notification in the Official Gazette, constitute a Fund to be known as the Population Control Fund to meet the expenditure to implement the provision of this Act including propagation and dissemination of the provisions of this Act, salary of officers and employees and remunerative and allowance of the members of the State Committees and District Commission.

(2) The Fund shall consist of:—

- (a) budgetary allocation made in Annual Budget by the Central Government;**
- (b) receipt of amount of fines imposed under section 14;**
- (c) donation or contribution from National or International Charitable institutions or from individuals as permitted by the Central or State Government, as the case may be; and**
- (d) amount contributed under corporate social responsibility.**

(3) The Fund shall be administered by the District Committee in consultation with the State Committee.

Penalty for contravention of the Act.

14. Any person who contravenes the provision of section 3 of this Act shall,—

- (a) not be entitled to avail any benefit under welfare schemes of the appropriate Government;**
- (b) pay the fine which may extend upto rupees fifty thousand as social compensation fees in such account head of treasury as may be prescribed:**

Provided that if a person neglects or refuses to pay the fine as social compensation fee, the District Committee may recover such fee as the arrear of land revenue from such person in such manner as may be prescribed; and

(c) not be eligible to apply for any Government job and if such person is already in Government job then he shall not be eligible to get promotion for next five years.

15. After section 8A of the Representation of the People Act, 1951, the following section shall be inserted, namely:—

“8B. A person having two or more than two living children on the date of commencement of this Act shall be disqualified and not eligible to contest any election if he procreates any more living child after the commencement of this Act.”.

Insertion of new section 8B in Act No. 43 of 1951.

16. If any difficulties arises in giving effect to the provision of this Act, the Central Government may, by notified order, make such provisions not inconsistent with the provision of this Act as appears to it to be necessary or expedient for removing the difficulties:

Power to remove difficulties.

Provided that no such order shall be made after the expiry of a period of two years from the date of commencement of this Act.

17. The provisions of this Act shall have effect notwithstanding anything contained to the contrary in any other law for the time being in force.

Act to have overriding effect.

18. (1) The appropriate Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

Power to make rules.

(2) Every rule made under this Act by the Central Government shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both House agree in making any modification in the rule or both the Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

(3) Every rule made by the State Government under this Act shall be laid, as soon as may be after it is made, before the State Legislature.

STATEMENT OF OBJECTS AND REASONS

Next to China, India is the second largest populated country in the world. As the population rises, so will poverty. Being a developing country, the increasing growth rate is dragging India into a vicious cycle of population and poverty, which leads to a development trap. This further increases other problems like illiteracy, unemployment and inflation.

Over population is a hindrance in the path of India's economic development. Family planning awareness should be sown among the younger generations. Smaller families contribute to the well being of the individual as well as India's economy. Population control is the appropriate alternative for India to promote, sustain and enhance development. Higher population results in lower resource availability. Rapid population growth affects capital formation, food shortages, consumer prices and social and political unrest.

Therefore, it is necessary to enact a law to put a check on increasing population at the earliest and make effective provisions to control the population of India.

Hence this Bill.

NEW DELHI;
June 27, 2019.

AJAY BHATT

FINANCIAL MEMORANDUM

Clause 4 of the Bill provides for incentives to the married couple opting for two children. It also provides for incentives to married couple opting for one child norm. Clause 5 provides for constitution of State Population Control Committee. Clause 7 provides for constitution of District Population Control Committee. Clause 11 provides for appointment of officer and staff to the State Committee and District Committee. Clause 13 provides for constitution of Population Control Fund. The Bill, therefore, if enacted, will involve expenditure from the Consolidated Fund of India. It is estimated that a sum of rupees five hundred crore will be involved as recurring expenditure per annum.

A non-recurring expenditure to the tune of rupees One hundred crore is also likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 18 of the Bill empowers the appropriate Government to make rules for carrying out the purposes of the Bill. As the rules will relate to matters of detail only, the delegation of legislative power is of a normal character.

BILL No. 226 OF 2019

A Bill further to amend the Essential Commodities Act, 1955.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

Short title and commencement.

1. (1) This Act may be called the Essential Commodities (Amendment) Act, 2019.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Amendment of section 3.

2. In section 3 of the Essential Commodities Act, 1955 (hereinafter referred to as the principal Act), in sub-section (3C), after the second proviso, the following proviso shall be inserted, namely:—

10 of 1955.

"Provided also that the Central Government or a State Government or an officer or agent of such Government or any other person or class of persons shall make full payment to the producer within a period of fifteen days of the delivery of the sugar of any kind."

Amendment of section 7.

3. In section 7 of the principal Act, after sub-section (3), the following sub-section shall be inserted, namely:—

"(3A) Notwithstanding anything in this section, if any person or class of persons fails to pay full amount to the producer within the stipulated time as prescribed under sub-section (3C) of section 3, he shall be punished with an imprisonment for a term not less than five years and fine which shall not be less than ten lakh rupees but which may extend upto two hundred per cent. of the payment due to the producer.".

STATEMENT OF OBJECTS AND REASONS

The Essential Commodities Act, 1955 provides that if a producer of any kind of sugar is required to sell his sugar to the Central Government or a State Government or to an officer or agent of such Government or to any other persons or class of persons, such producer is entitled to be paid such amount as may be determined by the Central Government taking into consideration a number of factors like the fair and remunerative price, manufacturing cost of sugar, etc. However, it has been observed that either the payment is not made to the producer or is made in piecemeal. Such situation leads to economic distress of the sugarcane producers.

Sugarcane farmers in the country often suffer on account of delayed payment for their produce with the arrears running into thousands of crores. It is important to fix liability and ensure timely payment for the welfare of the farmers.

Therefore, it is necessary to amend the Essential Commodities Act, 1955 with a view to—

- (a) put on obligation on the person or class of persons purchasing sugar from the producer to make full payment of purchase of sugar within the stipulated time; and
- (b) impose penalty on person or class of persons who fails to pay the full amount of purchase of any kind of sugar to the producer within the stipulated time.

Hence this Bill.

NEW DELHI;

SANJAY JAISWAL

June 28, 2019.

BILL No. 228 OF 2019

A Bill further to amend the Medical Termination of Pregnancy Act, 1971.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

Short title
and
commencement.

1. (1) This Act may be called the Medical Termination of Pregnancy (Amendment) Act, 2019.

(2) It shall come into force at once.

Amendment
of section 3.

2. In section 3 of the Medical Termination of Pregnancy Act, 1971 (hereinafter referred to as the principal Act), in sub-section (2), in clause (b), for the words "twenty weeks", the words "twenty weeks and in case of rape survivor, anytime during the pregnancy but before twenty-eight weeks" shall be substituted.

3. After section 4 of the principal Act, following section shall be inserted namely:—

"4A. (1) There shall be constituted a Board to be known as the Central Medical Board which shall consist of—

- (i) two Geneticists or Genetics Counsellors;
- (ii) two Gynaecologists and two Obstetricians; and
- (iii) two Paediatricians,

to discharge functions assigned under this Act:

Provided that at least one half of the members of the Central Medical Board shall be women.

(2) The Chairperson of the Central Medical Board shall be appointed from amongst the members of the Board.

(3) The terms and conditions of appointment of the Chairperson and members of the Central Medical Board shall be such as may be prescribed by rules made under this Act."

4. In section 5 of the principal Act, in sub-section (1), the following provisos shall be inserted, namely:—

"Provided that if in the majority opinion of the Central Medical Board, continuance of pregnancy may involve a substantial risk in case the child is born with following abnormalities:—

- (a) chromosomal abnormalities;
- (b) genetic disorders;
- (c) congenital abnormalities; or
- (d) such other abnormalities or diseases as may be specified by the Board.

the pregnancy, irrespective of the length of pregnancy, shall be terminated in accordance with the provisions of section 4:

Provided further that if the pregnant women irrespective of her age is a rape survivor, the pregnancy may be terminated within twenty-eight weeks of such pregnancy in accordance with the provisions of section 4

Insertion of new section 4.

Constitution of Central Medical Board.

Amendment of section 5.

STATEMENT OF OBJECTS AND REASONS

As per the existing provisions under the Medical Termination of Pregnancy Act, 1971 abortion is legal only upto twenty weeks. In case of anomalous pregnancies and also for rape survivors, there is no option but to approach the courts for terminating any pregnancy beyond this period. The courts in the past have taken a liberal view and allowed in some cases termination beyond twenty weeks as well. But the whole process may be time consuming and distressing especially in such high risk cases. To remove this discrepancy and to allow a women greater freedom, an amendment is much needed in the parent Act.

The Bill, therefore, seeks to amend the Medical Termination of Pregnancy Act, 1971 with a view to—

- (a) provide for termination of pregnancy of rape survivor by registered medical practitioners within twenty-eight weeks of such pregnancy; and
- (b) establish a Central Medical Board under whose supervision termination of pregnancy be made if the child to be born is with abnormalities.

Hence this Bill.

NEW DELHI;
July 2, 2019.

SANJAY JAISWAL

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for establishment of a Central Medical Board to supervise the medical termination of pregnancy of the child to be born with abnormalities. It also provides for chairperson and other members of the Central Medical Board. The Bill, therefore, if enacted, would involve expenditure from the Consolidated Fund of India. It is estimated that a recurring expenditure of about rupees five hundred crore is likely to be involved per annum for the purpose of payment of allowances to the Judges of the Bench and payment of salaries to the Court servants.

A non-recurring expenditure of about rupees hundred crore may be involved for the construction of building of the Court, etc. and appointment of staff members.

BILL NO. 229 OF 2019

A Bill further to amend the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

Short title and
Commencement.

1. (1) This Act may be called the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Amendment Act, 2019.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

34 of 2003

2. For section 4 of the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 (hereinafter referred to as the principal Act), the following section shall be substituted, namely:—

"4. No person shall smoke or use tobacco products in any public place:

Provided that in a hotel having thirty rooms or a restaurant having seating capacity of thirty persons or more and in the airports, a separate provision for smoking area or space may be made:

Provided further that the area or space so designated shall be ventilated in such manner that smoke from smoking area does not permeate into the non-smoking areas.".

3. In section 6 of the principal Act,—

(i) in clause (a), for the words "eighteen years of age", the words "twenty-one years of age" shall be substituted; and

(ii) after clause (b), the following clause shall be inserted, namely:—

"(c) in open packing or in single stick.".

4. After section 6 of the principal Act, the following section shall be inserted, namely:—

"6A. Every tobacco product shall be sold in intact package of such size, content and weight as may be prescribed.".

Amendment of Section 4.

Prohibition of smoking and use of tobacco products in a public place.

Amendment of Section 6.

Insertion of new Section 6A.

Tobacco products to be sold in intact packages.

STATEMENT OF OBJECTS AND REASONS

The Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 was enacted to put certain prohibition on use of tobacco products. Section 4 of the Act prohibits smoking in public places. However, no such prohibition is there for use of other tobacco products in public places, which also pose an equal if not more risk to the health and hygiene of general public. Therefore, there is an urgent need to prohibit use of all tobacco products in public places.

Moreover, the Act seeks to prohibit sale of cigarette or other tobacco products to a person below the age of eighteen years. The need is to increase the upper age limit upto twenty-one years in order to mitigate the health risk of the youth of the nation.

Also, the prohibition on sale of cigarettes and tobacco products in loose and single stick is utmost necessary.

The Bill, therefore, seeks to amend the parent Act with a view to—

- (a) prohibit use of tobacco products in a public place;
- (b) prohibit sale of cigarettes and tobacco products to a person who is under twenty-one years of age; and
- (c) prohibit the sale of loose cigarette or tobacco products.

Hence this Bill.

NEW DELHI;
July 12, 2019

SANJAY JAISWAL

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 5 of the Bill provides that every tobacco product shall be sold in intact package of such size, content and weight, as may be prescribed by rules made by Central Government. As the rules will relate to matters of detail only, the delegation of legislative power is of a normal character.

BILL No. 62 OF 2019

A Bill to provide for regularisation of the services of Anganwadi Workers and conferring the status of not less than those of Group 'C' employees of the Central Government on such Anganwadi Workers.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

Short title,
extent and
commencement.

1. (1) This Act may be called the Anganwadi Workers (Regularisation of Service and Welfare) Act, 2019.

(2) It extends to the whole of India.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. In this Act, unless the context otherwise requires,—

Definitions.

(a) "anganwadi" means an anganwadi centre set up by the Central Government or State Government or Union Territory Administrator to implement the Integrated Child Development Scheme;

(b) "anganwadi worker" means any person working in an anganwadi on regular or contract or daily wages basis; and

(c) "prescribed" means prescribed by rules made under this Act.

3. (1) The Central Government shall, by notification in the Official Gazette, take all such steps as may be necessary to regularize the services of anganwadi workers and confer the status of not less than those of Group 'C' employees of the Central Government on all such anganwadi workers.

Regularisation of services of anganwadi workers.

(2) The Central Government shall also provide such wages and welfare facilities as are available to, or not less than, Group 'C' employees of the Central Government.

4. The provision of this Act shall be in addition to, and not in derogation of the provisions of any other law for the time being in force.

Savings.

5. (1) The Central Government shall, by notification in the Official Gazette, make rules for carrying out all purposes of this Act ensuring the service status and welfare of the Anganwadi workers.

Power to make rules.

(2) Every rule made under this section shall be laid, as soon as may be after it is made before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions aforesaid both Houses agree in making any modification in the rule or both the Houses agree that the rule should not be made, the rules shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

STATEMENT OF OBJECTS AND REASONS

Anganwadi Centres were started in this country by the Central Government and State Governments for implementation of the Integrated Child Development Services Scheme. It includes the comprehensive development of health awareness among women and child welfare. The Contribution of Anganwadi Centres is remarkable and has become an integral and essential part of life in rural areas. The Anganwadi workers are good promoters of various schemes of the Central Government and State Government and ensuring the health and welfare of child and women. The duties and services rendered by the Anganwadi workers are very important for the protection of the health and welfare of women and children. The Anganwadi workers do not have job security and the honorarium given to them are not sufficient to meet their immediate basic requirements. This may adversely affect the working of the Integrated Child Development Scheme.

The Anganwadi workers are one of the main links between the Government and general public. They are helping the Government for the effective implementation of women and children health and welfare scheme. Considering the importance of their duties and services it is highly necessary to protect their service and welfare.

Hence this Bill.

NEW DELHI;
June 3, 2019.

N.K. PREMACHANDRAN

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for regularisation of the services of anganwadi workers and confer the status not less than those of Group 'C' employees of the Central Government on all such anganwadi workers. It also provides for such wages and welfare measures as are available to or not less than Group 'C' employees of the Central Government to anganwadi workers. The Bill, therefore, if enacted would involve expenditure from the Consolidated Fund of India. A recurring expenditure of about rupees three thousand crore is likely to be involved per annum from the Consolidated Fund of India.

A non-recurring expenditure of about rupees three thousand crore is also likely to be involved.

BILL No. 60 OF 2019

A Bill further to amend the Indian Medical Council Act, 1956.

BE it enacted by Parliament in the Seventieth year of the Republic of India as follows:—

Short title and commencement.

1. (1) This Act may be called the Indian Medical Council (Amendment) Act, 2019.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Insertion of new section 10E.

2. After section 10D of the Indian Medical Council Act, 1956 (hereinafter referred to as 102 of 1956 the principal Act), the following section shall be inserted, namely:—

Constitution of Admission and Fee Regulatory Authority.

"10E. (1) The Central Government shall, by notification in the Official Gazette, constitute an Admission and Fee Regulatory Authority (hereinafter referred to as the Authority) for the supervision and guidance of admission process and for fixation of fee and other amounts to be charged from the candidates seeking admission in medical institutions at under graduate and post-graduate level, other than those promoted and maintained by the Central or the State Government, in such manner as may be prescribed.

(2) The Authority shall—

(a) ensure that the admission to medical institutions be made with its prior approval;

(b) fix the fees and other amounts to be charged from the candidates by the medical institutions in such manner as may be prescribed.

(c) restrict admission of candidates to the medical institutions who fail to pay prescribed fee and other amount charged within one month of the date of admission scheduled for such medical institutions.".

3. In section 33 of the principal Act, after clause (mb), the following clause shall be inserted, namely:—

"(mc) the Admission and Fee Regulatory Authority, fixation of fees and other amounts charged in medical institutions;".

Amendment
of section 33.

STATEMENT OF OBJECTS AND REASONS

The Indian Medical Council Act, 1956 was enacted for the purpose of reconstituting the Medical Council of India (hereinafter referred to as the Council) and to provide for the maintenance of the Indian Medical Register and for matters connected therewith.

The Act confers upon the Council the responsibility of maintenance of the highest standards of medical education throughout the country. In pursuance of the responsibility, the Council makes its recommendations to the Central Government for matters related to the courses of study, examination to be undertaken for such qualifications and inspection of examinations, etc.

The Government of India made it mandatory that all admissions to medical and dental seats in all Government colleges, deemed Universities and private medical colleges be made only through National Eligibility Cum Entrance Test list strictly on merit.

However, there were reports of malpractices by various medical educational institutions to tide over the admission procedures and charging of exorbitant fees. A legislation is required for the regulation of admission and fixation of fee in such medical institutions.

The Bill, therefore, seeks to amend the Indian Medical Association, 1956 with a view to establish an Admission and Fee Regulatory Authority to fix the fee and other amounts charged in medical institutions.

Hence this Bill.

NEW DELHI;
June 3, 2019.

N.K. PREMACHANDRAN

FINANCIAL MEMORANDUM

Clause 2 of the Bill provides for constitution of the Admission and Fee Regulatory Authority by the Central Government. The Bill, therefore, if enacted, will involve expenditure from the Consolidated Fund of India. It is estimated that a recurring expenditure of about rupees ten crore per annum would be involved from the Consolidated Fund of India.

A non-recurring expenditure of about rupees five crore is also likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 3 of the Bill empowers the Council to make regulations regarding the fixation of fees and other amounts charged by the medical institutions. As the regulations will relate to matters of detail only, the delegation of legislative powers is of a normal character.

BILL No. 59 OF 2019

A Bill further to amend the Drugs and Cosmetics Act, 1940.

BE it enacted by Parliament in the Seventieth year of the Republic of India as follows:—

Short title and commencement.

1. (1) This Act may be called the Drugs and Cosmetics (Amendment) Act, 2019.

(2) It extends to the whole of India.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Amendment of section 3.

2. In section 3 of the Drugs and Cosmetics Act, 1940 (hereinafter referred to as the principal Act),—

(a) the existing clause (a) shall be renumbered as (aii) and before the clause (aii) so as renumbered, the following clause shall be inserted, namely:—

23 of 1940.

“(a) “active pharmaceutical ingredients or bulk drug” means any pharmaceutical chemical biological plant product including its salts, esters, isomers, analogues and derivatives, conforming to standards specified in this Act, which is used as such or as an ingredient in any formulation;

(ai) “Authority” means the Drugs and Cosmetics Price (Control, Regulate and Monitoring) Authority constituted under section 7B.”;

(b) after clause (aa), the following clauses shall be inserted, namely:—

“(aai) “brand” means a name, term, design, symbol, trademark or any other feature that identifies one seller’s drug as distinct from those of other sellers;

“(aaai) “ceiling price” means a price fixed by the Government for Scheduled formulations in accordance with the provisions of this Order;

“(aaии) “Chairperson” means the Chairperson of the Drugs and Cosmetics Price (Control, Regulate, Monitoring) Authority.”;

(c) after clause (aaa), the following clauses shall be inserted, namely:—

“(aaai) “dealer” means a person carrying on the business of purchase or sale of drugs, whether as a wholesaler or retailer and includes his agent;

“(aaaii) “distributor” means a person engaged in the work of distribution of drugs and includes an agent or a stockist for stocking drugs for sale to a dealer.”;

(d) in clause (b), after sub-clause (iv), the following sub-section shall be inserted, namely:—

“(v) in relation to [Ayurvedic, Siddha or Unani] drugs means the drugs specified from time to time by the Central Government by notification in the Official Gazette after consultation with the Board constituted under section 33C;

“(vi) all the items covered under (i) to (v) above which the Authority constituted under section 4 of this Act deems fit to treat as drug or cosmetics for the implementation of provisions of this Act with or without notification by the Central Government.”;

(e) after clause (b), the following clauses shall be inserted, namely:—

“(ba) “expert member” means expert member of the Drugs and Cosmetics Price (Control, Regulate, Monitoring) Authority established under section 7B;

“(bb) “formulation” means a medicine processed out of or containing one or more drugs with or without use of any pharmaceutical aids, for internal or external use for or in the diagnosis, treatment, mitigation or prevention of disease and, but shall not include,

(i) any medicine included in any bonafide Ayurvedic (including Siddha) or Unani (Tibb) systems of medicines;

(ii) any medicine included in the Homoeopathic system of medicine; and

(iii) any substance to which the provisions of this Act not apply;

“(bc) “generic version of a medicine” means a formulation sold in pharmacopeial name or the name of the active pharmaceutical ingredient contained in the formulation, without any brand name.”;

(f) after clause (f), the following clause shall be inserted, namely:—

“(fa) “maximum retail price” means the ceiling price or the retail price plus local taxes and duties as applicable, at which the drug shall be sold to the ultimate consumer and where such price is mentioned on the pack;

(fb) “moving annual turnover” in a particular month means cumulative sales value for twelve months in domestic market, where the sales value of that month is added and the corresponding sales of the same month in the previous year are subtracted;

(fc) “National List of Essential Medicines” means National List of Essential Medicines, 2011 published by the Ministry of Health and Family Welfare as updated or revised from time to time in the Official Gazette;

(fd) “new drug” means a formulation launched by an existing manufacturer of a drug of specified dosages and strengths as listed in the National List of Essential Medicines by combining the drug with another drug either listed or not listed in the National List of Essential Medicines or a formulation launched by changing the strength or dosages or both of the same drug of specified dosages and strengths as listed in the National List of Essential Medicines;

(fe) “non-scheduled formulation” means a formulation, the dosage and strengths of which are not specified in the First Schedule.”;

(g) after clause (g), the following clause shall be inserted, namely:—

“(ga) “local taxes” means any tax or levy (except excise or import duty included in retail price) paid or payable to the Central Government or the State Government or any local body under any law for the time being in force by the manufacturer or his agent or dealer;

(gb) “market share” means the ratio of domestic sales value (on the basis of moving annual turnover) of a brand or a generic version of a medicine and the sum of total domestic sales value of all the brands and generic versions of that medicine sold in the domestic market having same strength and dosage form;

(gc) “margin to retailer” for the purposes of this Order shall mean a percentage of price to retailer;

(gd) “market based data” means the data of sales related to drug collected or obtained by the Government as deemed fit, from time to time.”;

(h) after clause (h), the following clause shall be inserted, namely:—

“(ha) “pharmaco economics” means a scientific discipline that compares the therapeutic value of one pharmaceutical drug or drug therapy to another.”;

(i) after clause (i), the following clauses shall be inserted, namely:—

“(j) “price list” means the price fixed by the Authority for the sale of drugs;

(k) “price to retailer” means the price of a drug at which it is sold to a retailer which includes duties and does not include local taxes;

(l) “retail price” means the price fixed by the Authority;

(m) “retailer” means a dealer carrying on the retail business of sale of drugs to customers;

(n) “scheduled formulation” means any formulation, included in the Schedule of the Authority whether referred to by generic versions or brand name;

(o) “schedule” means a Schedule published by the Authority from time to time;

(p) “wholesaler” means a dealer or his agent or a stockist engaged in the sale of drugs to a retailer, hospital, dispensary, medical, educational or research institution or any other agency; and

(q) “wholesale price index” means annual wholesale price index of all commodities as announced by the Department of Industrial Policy and Promotion, Government of India, from time to time.”.

3. After Chapter II of the principal Act, the following chapter and sections thereunder shall be inserted, namely:—

Insertion of new Chapter IIA.

"CHAPTER IIA

THE DRUGS AND COSMETICS PRICE (CONTROL, REGULATE, MONITORING) AUTHORITY

7B. The Central Government shall, by notification in the Official Gazette, establish, with effect from such date as may be specified therein, within six months from the date of commencement of this Act an Authority to be known as the Drugs and Cosmetics Price (Control, Regulate, Monitoring) Authority to exercise the jurisdiction, powers and authority conferred on such Authority by or under this Act.

Establishment of the Drugs and Cosmetics Price (Control, Regulate, Monitoring) Authority.

7C. (1) The Authority shall consist of—

Composition of Authority.

(a) a full time Chairperson; and

(b) not less than five but subject to maximum of ten full time expert members from different fields and not more than one from the same field to be appointed by the Central Government in such manner as may be prescribed.

(2) **The Chairperson of the Authority may, if he considers necessary, invite any one or more persons having specialized knowledge and experience in a particular drug or cosmetic before the Authority to assist the Authority in that case.**

(3) The Headquarters of the Authority shall be at New Delhi and the Authority may establish its offices at other places in the States and Union territories as it may deem necessary for carrying out the purposes of this Act.

7D. The Authority shall—

Functions of the Authority.

(a) control, regulate and monitor the price of drugs and cosmetics;

(b) ensure the availability of drugs and cosmetics at reasonable and affordable price;

(c) analyze the quality, composition of drugs and cosmetics.

(d) calculate the price of drugs and cosmetics at various levels such as manufacturer, wholesale dealer, retail dealer and retail shops, pharmacies, margin to retailer and maximum retail price including all taxes and levies;

(e) for ceiling price of a scheduled formulation in case of no reduction in price due to absence of competition.

(f) regulate, control and monitor, import, export, patent or proprietary of medicine, manufacturer, margin to retailer, market based data, maximum retail price, moving annual turnover, national list of essential medicines, new drug, pharmacoeconomics, price list, price to retailer, retail price, retailer, wholesaler and whole sale price index;

(g) calculate ceiling price of rise of drugs, calculation of retail price of new drugs for existing manufacturers, ceiling price of drugs in case of no reduction in price due to absence of competition, fix margin to retailer, maximum retail price, market base data, ceiling price or retail price of a pack and all other matters require for fix, regulate and monitor the price of drugs.

(h) maintain records and production thereof for inspection, power of entry, search and seizure;

(i) prepare schedule of medicines;

(j) suspend, cancel and terminate the license for manufacture and sale;

(k) suspend, cancel and terminate the regulation or manufacturer and seller of drugs and cosmetics;

(l) levy fine on the defaulters; or

(m) undertake such other functions as may be assigned to it, from time to time:

Provided that a person shall not be qualified for appointment as the Chairman of the Authority, unless he is, or has been, a Judge of the Supreme Court of India or Chief Justice of a High Court:

Provided further that a person shall not be qualified for appointment as full time expert member unless he is, or has been, a Director General of Health Services, Drugs Controller of India, Director of the Central Drugs Laboratory, Director of All India Institute of Medical Sciences, Director of Medical Education, Director of Central Research Institute (Drugs and Pharmaceuticals), Director of Indian Veterinary Research Institute, President, Medical Council of India, President, Pharmacy Council of India, Director of Medical, Research and Technology Institute constituted as per the law enacted by the Parliament, Director, Chemical and Pharmaceuticals of India, Government Analyst and Pharmacologist from Indian Council of Medical Research.

Term of office and other conditions of service of Chairperson and Expert Member.

7E. The Chairperson and expert member of the Authority shall hold office as such for a term of five years from the date on which he enters upon his office, but shall not be eligible for re-appointment:

Provided that in case a person, who is or has been a Judge of the Supreme Court, has been appointed as Chairperson of the Authority, he shall not hold office after he has attained the age of seventy years:

Provided further that in case a person, who is or has been the Chief Justice of a High Court, has been appointed as Chairperson of the Authority, he shall not hold office after he has attained the age of sixty-seven years:

Provided also that no expert member shall hold office after he has attained the age of sixty-five years.

Resignation.

7F. The Chairperson and expert member of the Authority may, by notice in writing under his hand addressed to the Central Government, resign from his office.

Salaries, allowances and other terms and conditions of service.

7G. The salaries and allowances payable to, and the other terms and conditions of service (including pension, gratuity and other retirement benefits) of, the Chairperson and expert member of the Authority shall be such as may be prescribed:

Provided that neither the salary and allowances nor the other terms and conditions of service of the Chairperson and expert Member shall be varied to their disadvantage after their appointment.

Removal of Chairperson and expert member.

7H. The Central Government may, in consultation with the Chief Justice of India, remove from office of the Chairperson of the Authority, who,—

(a) has been adjudged an insolvent; or

(b) has been convicted for an offence which, in the opinion of the Central Government, involves moral turpitude; or

(c) has become physically or mentally incapable; or

(d) has acquired such financial or other interest as is likely to affect prejudicially his functions; or

(e) has so abused his position as to render his continuance in office prejudicial to the public interest.

(2) The Chairperson shall not be removed from his office except by an order made by the Central Government after an inquiry made by a Judge of the Supreme Court in which such

Chairperson has been informed of the charges against him and given a reasonable opportunity of being heard in respect of those charges.

(3) The Central Government may suspend from office the Chairperson in respect of whom a reference of conducting an inquiry has been made to the Judge of the Supreme Court until the Central Government passes an order on receipt of the report of inquiry made by the Judge of the Supreme Court on such reference.

(4) The Central Government may, by rules, regulate the procedure for inquiry referred to in sub-section (2).

(5) The expert member may be removed from his office by an order of the Central Government on the grounds specified in sub-section (1) and in accordance with the procedure as may be notified by the Central Government:

Provided that the expert member shall not be removed unless he has been given an opportunity of being heard in the matter.

7I. In the event of the occurrence of any vacancy in the office of the Chairperson of the Authority, by reason of his death, resignation or otherwise, the Central Government may, by notification, authorise in this behalf, shall as the Chairperson until the date on which a new Chairperson is appointed in accordance with the provisions of this Act.

To act as Chairperson of Authority or to discharge his functions in certain circumstances.

7J. (1) The Central Government shall appoint such number of officers and other employees to the Authority to assist the discharge of its functions.

Officers and Staff of Authority.

(2) The recruitment of the officers and other employees of the Authority shall be made by the Chairperson in such manner as may be prescribed.

(3) The officers and other employees of the Authority shall discharge their functions under the general superintendence of the Chairperson.

(4) The salaries and allowances and conditions of service of the officers and other employees of the Authority shall be such as may be prescribed.

7K. The Chairperson of the Authority shall exercise such financial and administrative powers as may be vested in him under the rules made by the Central Government:

Financial and administrative powers of Chairperson.

Provided that the Chairperson may delegate such of financial and administrative powers, as he may think fit, to any expert member or an officer of the Authority subject to the condition that the member or such officer, while exercising such delegated power, continues to act under the direction, control and supervision of the Chairperson.

7L. The Authority shall have the jurisdiction to settle dispute regarding fixation, control, regulation, monitoring of drugs and cosmetics.

Authority to settle disputes.

(2) No application for adjudication of dispute under this section shall be entertained by the Authority unless it is made within a period of six months from the date on which the cause of action for such dispute first arose:

Provided that the Authority may, if it is satisfied that the applicant was prevented by sufficient cause from filing the application within the said period, allow it to be filed within a further period not exceeding sixty days.

7M. The decision of the Authority by majority of Members present and voting shall be binding:

Decision to be taken by majority.

Provided that if there is a difference of opinion among the Members hearing an application, the opinion is equally divided, the Chairperson shall hear (if he has not heard earlier such application) such application and decide:

Provided further that where the Chairperson himself has heard such application along with other members of the Authority, and if there is a difference of opinion among the Members in such cases and the opinion is equally divided, he shall refer the matter to other Members of the Authority who shall hear such application and decide.

Appeal to Supreme Court.

7N. Any person aggrieved by any decision or order of the Authority, may, file an appeal to the Supreme Court, within ninety days from the date of communication of the decision or order of the Authority, to him, on any one or more of the grounds specified in section 100 of the Code of Civil Procedure, 1908 (5 of 1908):

Provided that the Supreme Court may entertain any appeal after the expiry of ninety days, if it is satisfied that the appellant was prevented by sufficient cause from preferring the appeal.

Cost.

7O. (1) While disposing of an application under this Act, the Authority shall have power to make such order as to costs, as it may consider necessary.

(2) Where the Authority holds that a claim is not maintainable, or is false or vexatious, and such claim is disallowed, in whole or in part, the Authority may, if it so thinks fit, after recording its reasons for holding such claim to be false or vexatious, make an order to award costs, including lost benefits due to any interim injunction.

Deposit of amount payable for damage to environment.

7P. Where any amount by way of fine, compensation or relief is ordered to be paid under any order made by the Authority on the ground of any damage, that amount shall be remitted to the authority.

(2) The amount of fine or compensation or relief credited in the Authority under sub-section (1), may, notwithstanding anything contained in the Public Liability Insurance Act, 1991 (6 of 1991) be utilized for the treatment and welfare of such persons as prescribed.

Execution of order or decision of Authority.

7Q. (1) An award or order or decision of the Authority under this Chapter shall be executable by the Authority as a decree of a civil court, and for this purpose, the Authority shall have all the powers of a civil court.

(2) Notwithstanding any thing contained in sub-section (1), the Authority may transmit any order or award made by it to a civil court having local jurisdiction and such civil courts shall execute the order or award as if it were a decree made by that court.

(3) Where the person responsible, for death of, or injury to any person or damage against whom the order is made by the Authority, fails to make the payment or deposit the amount as directed by the Authority within the period so specified in the order, such amount, without prejudice to the filing of complaint for prosecution for an offence under this Act, or any other law for the time being in force, shall be recoverable from the aforesaid person as arrears of land revenue of public demand.

Penalty for failure to comply with orders of Authority.

7R. (1) Whoever, fails to comply with any order or decision of the Authority under this Act, he shall be punishable with imprisonment for a term which may extend to three years, or with fine which may extend to twenty crore rupees, or with both and in case the failure or contravention continues, with additional fine which may extend to fifty thousand rupees for every day during which such failure or contravention continues after conviction for the first such failure or contravention:

Provided that in case a company fails to comply with any order or award or a decision of the Authority under this Act, such company shall be punishable with fine which may extend to thirty crore rupees, and in case the failure or contravention continues, with additional fine which may extend to two lakh rupees for every day during which such failure or contravention continues after conviction for the first such failure or contravention.

(2) Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974) every offence under this Act shall be deemed to be non-cognizable within the meaning of the said Code.

7S. (1) Where any offence under this Chapter has been committed by a company, every person who, at the time the offence was committed, was directly in charge of, and was responsible to the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

an offence under this Act has been committed by the company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section,—

(a) "company" means anybody corporate and includes a firm or other association of individuals; and

(b) "director" in relation to a firm means a partner in the firm.

7T. (1) Where any Department of the Government fails to comply with any order or award or decision of the Authority under this Chapter, the Head of the Department shall be deemed to be guilty of such failure and shall be liable to be proceeded against for having committed an offence under this Chapter and punished accordingly:

Provided that nothing contained in this section shall render such Head of the Department liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1) where an offence under this Chapter has been committed by a Department of the Government and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of any officer, other than the Head of the Department, such officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

7U. (1) With effect from the date of establishment of the Authority under this Chapter, no civil court shall have jurisdiction to entertain any dispute in respect of any matter, which the Authority is empowered to determine under its jurisdiction.

Offences by Government Department.

(2) No civil court shall have jurisdiction to settle dispute or entertain any question relating to any claim for granting any relief or compensation which may be adjudicated upon by the Authority, and no injunction in respect of any action taken or to be taken by or before the Authority in respect of the settlement of such dispute or granted by the civil court.

Bar of jurisdiction.

7V. (1) No court shall take cognizance of any offence under this Chapter except on a complaint made by—

Cognizance of offences.

(a) the Central Government or any authority or officer authorised in this behalf by that Government; or

(b) any person who has given notice of not less than sixty days in such manner as may be prescribed, of the alleged offence and of his intention to make a complaint, to the Central Government or the authority or officer authorised as aforesaid.

(2) No court inferior to that of a Metropolitan Magistrate or, a Judicial Magistrate of the first class shall try any offence punishable under this Act.

Members and staff of Authority to be public servants.

7W. The Chairperson, and Expert Members, officers and other employees of the Authority shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code (45 of 1860).

Protection of action taken in good faith.

7X. (1) No suit or other legal proceeding shall lie against the employees of the Central Government or a State Government or any statutory authority, for anything which is in good faith done or intended to be done in pursuance of this Chapter or any rule or order made there under.

(2) No suit, prosecution or other legal proceeding shall lie against the Chairperson or Expert Member of the Authority or any other person authorised by the Chairperson or the Expert Member for anything which is in good faith done or intended to be done in pursuance of this Act or any rule or order made there under.

Act to have overriding effect.

7Y. The provisions of this Act, shall have effect notwithstanding anything inconsistent contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act.

Power to make rules.

7Z. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of thirty days as aforesaid, both Houses agree in making any modification in the rule or both the Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, prejudice to the validity of anything previously done under the rule.

Power to amend Schedule.

7ZA. (1) The Central Government may, by notification, amend the Schedule by including therein any other Act, enacted by Parliament having regard to the objective of fix, control, regulate and monitor the price of drugs and cosmetics there from on the date of publication of such notification, such Act shall be deemed to be included in or, as the case may be, omitted from the Schedule.

(2) A copy of every notification proposed to be issued under sub-section (1), shall be laid in draft before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in disapproving the issue of the notification or both Houses agree in making any modification in the notification, the notification shall not be issued or, as the case may be, shall be issued only in such modified form as may be agreed upon by both the Houses.

Power to remove difficulties.

7ZB. (1) If any difficulty arises in giving effect to the provisions of this Chapter, the Central Government, may, with the consent of the Chairman of the Authority by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act as may appear to it to be necessary for removing the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.".

STATEMENT OF OBJECTS AND REASONS

The price of drugs and cosmetics is increasing. Manufacturing companies, dealers and retailers are not providing drugs and cosmetics in reasonable price. Even the life saving medicines are not available in the market in a reasonable price. This sector becomes a profit making sector without considering the life and health of people. There are no criteria fixed for fixing the price of drugs and cosmetics. The existing system is regulation, control and monitoring of the price of drugs and cosmetics. It is also important to make available the medicines at affordable prices. The mechanism introduced by the existing system was flouted. The branded drugs and cosmetics are marketing without scientific and systematic system for regulate, control and monitoring. Even though the Drugs and Cosmetics Act, 1940 is there to regulate the import, manufacture, distribution and sale of drugs and cosmetics, but, it had not yield the desired results.

The Bill, therefore, seeks to amend the Drugs and Cosmetics Act, 1940 with a view to establish the Drugs and Cosmetics Price (Control, Regulate and Monitoring) Authority to—

- (a) control, regulate and monitor the price of drugs and cosmetics;
- (b) ensure the availability of drugs and cosmetics at reasonable and affordable price;
- (c) analyze the quality, composition of drugs and cosmetics;
- (d) calculate the price of drugs and cosmetics at various levels such as manufacturer, wholesale dealer, retail dealer and retail shops, pharmacies, margin to retailer and maximum retail price including all taxes and levies;
- (e) for ceiling price of a scheduled formulation in case of no reduction in price due to absence of competition;
- (f) regulate, control and monitor, import, export, patent or proprietary of medicine, manufacturer, margin to retailer, market based data, maximum retail price, moving annual turnover, national list of essential medicines, new drug, pharmaco economics, price list, price to retailer, retail price, retailer, wholesaler and wholesale price index;
- (g) calculate ceiling price of rise of drugs, calculation of retail price of new drugs for existing manufacturers, ceiling price of drugs in case of no reduction in price due to absence of competition, fix margin to retailer, maximum retail price, market base data, ceiling price or retail price of a pack and all other matters require for fix, regulate and monitor the price of drugs.
- (h) maintain records and production thereof for inspection, power of entry search and seizure;
- (i) prepare schedule of medicines;
- (j) suspend, cancel and terminate the licence for manufacture and sale;
- (k) suspend, cancel and terminate the regulation of manufactures and seller of drugs and cosmetics;
- (l) levy fine on the defaulters; or
- (m) undertake such other functions as may be assigned to it, from time to time.

Hence this Bill.

NEW DELHI;
June 3, 2019.

N.K. PREMACHANDRAN

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for the establishment of the Drugs and Cosmetics Price (Control, Regulate, Monitoring) Authority. The Bill, if enacted, will involve expenditure from the Consolidated Fund of India. It is estimated that a sum of rupees fifty crore may involve as recurring expenditure per annum. A non-recurring expenditure to the tune of rupees ten crore is also likely to be involved from the Consolidated Fund of India.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 3 of the Bill *vide* proposed section 7Z empowers the Central Government to make rules for carrying out the purpose of this Bill. As the rules will relate to matters of detail only, the delegation of legislative powers is of a normal character.

BILL No. 118 OF 2019

A Bill to provide for mandatory basic facilities like housing, food, water, medicine and security to neglected senior citizens, widows and orphans.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Mandatory Basic Facilities for Neglected Senior Citizens, Widows and Orphans Act, 2019.

Short title,
extent and
commencement.

(2) It extends to the whole of India.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Definitions.

2. In this Act, unless the context otherwise requires,—

- (a) "appropriate Government" means in the case of a State, the Government of that State and in other cases, the Central Government;
- (b) "neglected senior citizen" means any person who has attained the age of sixty years and has no facility for shelter or has any relative to provide shelter;
- (c) "orphan" means a child who is below fourteen years of age and is without parents or willing and capable legal or natural guardian or other relatives to take his minimum basic care;
- (d) "prescribed" means prescribed by rules made under this Act; and
- (e) "widow" means any woman who has not remarried after the death of her husband and who does not have any facility for shelter.

Framing a National Policy.

3. The Central Government shall, as soon as may be, but within six months of the commencement of this Act, by notification in the Official Gazette, frame a national policy for protection and welfare of the neglected senior citizens, widows and orphans.

Establishment of Residential Centres.

4. (I) The appropriate Government shall establish residential centres for the neglected senior citizens, widows and orphans.

(2) Every residential centre shall have the capacity of minimum eighty and maximum two hundred persons to live in at a time.

(3) Every residential centre shall be arranged in such a way to accommodate two orphans, one senior citizen and one widow in one unit.

Residential centres to have proper facilities for the beneficiaries.

5. The appropriate Government shall—

- (a) provide housing, food, water, medicine, security and the minimum resources necessary to lead a balanced and healthy life in every residential centre;
- (b) set up a domestic production unit for employment generation in every residential centre; and
- (c) provide educational facilities for orphans.

Constitution of Management Committee.

6. (I) The appropriate Government shall, by notification in the Official Gazette, constitute in each State a Managing Committee to monitor, supervise and coordinate the functioning of the residential centres established under sub-section (1) of section 4.

(2) The Management Committee shall consist of:—

- (i) a Chairperson;
- (ii) Secretary, Social Welfare Department of the State Government concerned, member;
- (iii) a senior-most senior citizen from the residential centre, member;
- (iv) an oldest widow from the residential centre, member;
- (v) an eminent social worker, member;

to be nominated by the appropriate Government in such manner as may be prescribed.

(3) The salary and allowances payable to and other term and conditions of service of Chairperson, and members of the Managing Committee and the procedure to be followed in the discharge of its functions shall be such as may be prescribed.

(4) The residential centres shall have such members of staff with such terms and conditions of services as may be prescribed, from time to time.

7. The Central Government shall, after due appropriation made by Parliament by law in this behalf, provide adequate funds for the implementation of the provisions of the Act.

Central
Government
to provide
fund.

8. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

Power to
make rules.

(2) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days, which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both the Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

STATEMENT OF OBJECTS AND REASONS

In the last one decade, the old age population in the country has risen by 39.3 per cent. This segment of population is expected to rise by 45-50 per cent in the coming decades. Because of the continual nuclearization of families in the society, they have to suffer from several problems on their own. There are more than a thousand old age homes in India but they have not been able to yield expected results. In a similar way, there are also a large number of widows in the country who are not only discriminated in their family but also in the entire society. In several cases, they are deprived of basic support and assistance. The necessity today is to create and promote a propitious environment whereby these widows can live their remaining lives in a socially productive and dignified manner. There is also a large section of the population of orphan kids who are without any support and who live a destitute life. Most of these kids are either subjected to child labour or are addicted to drugs or are involved in illegal organ trading.

The need is to bring these three disadvantaged sections of society under one roof of residential centre where they can use their mutually cooperating roles in a socially conducive manner. Widows should be encouraged to undertake the role of mother for orphan children and neglected old citizens should play the role of guardians for both of them. This would make facilitate a family environment for all of them. Through these centres, along with basic facilities such as food, shelter and clothing, an opportunity to live a more dignified life can be given to all these three sections in the society—old age, widows and destitute children. This arrangement would definitely make their lives happy by mutually interdependent and emotional bonding. In these centres the neglected, suffering and deprived classes of our society would be able to live a life free from deprivation and many other problems.

The most important reason to establish the residential centres is to create a unified shelter for various needy sections instead of separate orphanages, widow ashrams, old age homes, etc. Two distinctive benefits that should arise from such arrangement are that on one hand there would be a reduction in Government spending on infrastructure, human resources, etc. and, on the other hand, these disadvantaged groups would have an opportunity to take care of each other and live a better life with emotional, social and mental satisfaction.

Hence this Bill.

NEW DELHI;

SUDHAKAR TUKARAM SHRANGARE

June 6, 2019.

FINANCIAL MEMORANDUM

Clause 4 of the Bill provides for establishment of the residential centres all over the country for use of the neglected senior citizens, widows and orphans. Clause 5 provides that appropriate Government shall ensure residential centres to have proper basic facilities to the beneficiaries. Clause 6 provides for constitution of Management Committee in each State to monitor, supervise and coordinate the functioning of the residential centres. Clause 7 provides that Central Government shall provide adequate funds for carrying out the purposes of the Bill. The Bill, therefore, if enacted, will involve expenditure from the Consolidated Fund of India. It is estimated that a sum of rupees one thousand crore may involve as recurring expenditure per annum from the Consolidated Fund of India.

A non-recurring expenditure of about rupees five hundred crore is also likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 8 of the Bill empowers the Central Government to make rules for carrying out the purposes of the Bill. As the rules relate to matters of detail only, the delegation of legislative powers is of a normal character.

BILL No. 66 OF 2019

A Bill to provide for education loan to students belonging to economically weaker section and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

Short title,
extent and
commencement.

1. (1) This Act may be called the Education Loan to Students Belonging to Economically Weaker Section Act, 2019.

(2) It extends to the whole of India, except the State of Jammu and Kashmir.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Definitions.

2. In this Act, unless the context otherwise requires,—

(a) "bank" means any nationalized or commercial bank and includes a private, co-operative or foreign bank;

(b) "prescribed" means prescribed by rules made under the Act; and

(c) "student" means a person who belongs to economically weaker section and is pursuing any recognized course of study, including any professional or vocational course in any college or institution or university and whose parents' annual income is not more than three lakh and fifty thousand rupees.

3. The Central Government shall, within six months of the commencement of this Act, formulate a scheme for providing education loan at such rate of interest, as may be prescribed, to the students for the following purposes, namely:—

(a) pursuing professional courses such as medical, engineering or vocational course in any discipline in any recognized college or institution or university; and

(b) pursuing research in any recognized research institute or university.

4. (1) An application for education loan shall be made by a student to any branch of a bank in such manner as may be prescribed.

Scheme for education loan to students.

Application for loan.

(2) An application made under sub-section (1) shall be disposed of within a period of one month from the date of its receipt.

5. The bank shall make payment directly to the head of the college or institution or university where the student is studying or seeking admission.

Bank to pay directly to the institution.

6. No bank shall,—

Bank not to deny educational loan to students.

(i) refuse ordinarily an education loan to a student on any ground;

(ii) insist on any sort of guarantee, mortgage or surety for the purpose of disbursement of loan;

(iii) charge interest more than the rate prescribed;

(iv) keep or withhold degree, diploma certificates, mark sheets in original; and

(v) initiate recovery process of the loan before the completion of one year of securing a job by a student who has taken an education loan.

7. If any Bank violates the provisions of section 6, the chairperson or managing director or other officer of the bank responsible for the violation, unless he proves that such violation took place without his knowledge or that he exercised all due diligence to prevent, shall be deemed to be guilty of such violation and punished with imprisonment for a term which may extend upto six months or a fine upto rupees two lakh, or both.

Punishment.

8. (1) The Central Government shall formulate a scheme for waiving off education loan, if a student, even after five years of completing his course, fails to secure any employment.

Waiving off loan.

(2) Subject to such rules as may be made, the waiving off of education loans shall be applicable only to such *bona fide* students who do not get employment after completing their education.

9. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of the Act.

Power to make rules.

(2) Every rule made under this Act by the Central Government shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both the Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

STATEMENT OF OBJECTS AND REASONS

The educational loans are given by banks to students for pursuing higher education. Students belonging to economically weaker section, who could not earlier afford the cost of professional and higher education, are also now in a position to pursue higher education because of education loan. However, the policy of giving education loan is defective on many counts.

Securing an education loan for the students belonging to economically weaker section is a difficult task, with several banks not keen on lending to students owing to a large number of defaults. As a result, the growth rate of education loan has been steadily declining. There is no fall in demand for loans, but the restriction is at the supply points.

At present it has no statutory backing or proper guidelines. Each bank has its own guidelines and fixes its own criteria for disbursing loan. Many banks often refuse the same on some frivolous and technical grounds. Guarantee and surety are always insisted upon before granting the loan. The rate of interest on such loan also varies from bank to bank. The students belonging to economically weaker section pursuing studies in private institutions or seeking admission under management quota are not given loan.

Therefore, it is sought to ensure through the Bill that education loan should not be denied to any student belonging to economically weaker sections of the society. Any person who violates the guidelines framed for education loan shall be punished so that no bank dares to refuse loan to students. Further, many students after completion of their course do not get jobs. Thus, they are not in a position to repay the loan taken. In such cases, a policy or scheme for waiving off of loans has been envisaged in the proposed Bill.

Hence this Bill.

NEW DELHI;

SUDHAKAR TUKARAM SHRANGARE

June 6, 2019.

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for the framing of a scheme for providing educational loans to students belonging to economically weaker section. Clause 8 provides for framing of a scheme for waiving off educational loan if, a student fails to secure any employment, five years after completion of the course. The Bill, therefore, if enacted, will involve expenditure from the Consolidated Fund of India. It is estimated that a sum of rupees two hundred crore will be involved as a recurring expenditure per annum from the Consolidated Fund of India.

A non-recurring expenditure to the tune of rupees one hundred crore is also likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 9 of the Bill empowers the Central Government to make rules for carrying out the purposes of this Bill. As the rules will relate to matters of detail only, the delegation of legislative power is of a normal character.

BILL NO. 117 OF 2019

A Bill to provide for the protection of girl child and adolescent girls from malnutrition, anaemia and various diseases afflicting them and for matters connected therewith.

BE it enacted by Parliament in the Seventieth year of the Republic of India as follows:—

Short title,
extent and
commencement.

1. (1) This Act may be called the Girl Child and Adolescent Girls (Welfare) Act, 2019.

(2) It extends to the whole of India.

(3) It shall come into force with immediate effect.

Definitions.

2. In this Act, unless the context otherwise requires,—

(a) “adolescent girl” means a female who has attained puberty and is below the age of eighteen years;

(b) “appropriate Government” means in the case of a State, the Government of that State and in other cases, the Central Government;

(c) "girl child" means a female who is below the age of ten years;

(d) "parent" in relation to a girl child or adolescent girl, as the case may be, include mother, father, a guardian and every person who has the actual custody of such girl child or adolescent girl; and

(e) "prescribed" means prescribed by rules made under the Act.

3. (I) Notwithstanding anything contained in any other law for the time being in force, the Central Government shall, as soon as may be, but within one year of the commencement of this Act, formulate and publish in the Official Gazette, a national policy for the overall protection and welfare of the girl child and adolescent girls belonging to poor and middle class families in the society who are malnourished, anaemic and diseases prone and shall take appropriate measures for the uniform implementation of such a national policy.

National Policy for the protection and welfare of girl child and adolescent girls.

(2) In particular and without prejudice to the generality of the provisions contained in sub-section (I) such national policy may include provision for,—

(a) census or survey, from time to time, of girl child and adolescent girls who are malnourished in slum areas, *Jhuggi-Jhopri* clusters, backward and tribal areas and rural areas and maintain a data thereof in such manner and with such particulars, as may be prescribed;

(b) conducting a periodic medical examination of every girl child and adolescent girl covered under this Act from time to time and taking such remedial measures as are recommended by the medical authorities;

(c) making it mandatory for the appropriate Government to provide folic acid and multi-vitamin tablets to every malnourished and anaemic girl child and adolescent girl;

(d) providing a monthly allowance of not less than two thousand rupees to every malnourished girl child and adolescent girl covered under this Act for taking healthy meals in such manner as may be prescribed;

(e) providing sanitary napkins and proper dresses to the adolescent girls covered under this Act in such manner as may be prescribed.

4. (I) It shall be the duty of the appropriate Government to provide every girl child and adolescent girl covered under this Act—

(a) **medical facilities including medicines and hospitalization wherever necessary free of cost;**

(b) **educational facilities including technical, medical, vocational, information technology and higher education at the college and university level free of cost;**

(c) **recreational, entertainment and playing facilities;**

(d) **such other welfare and protective measures as may be deemed necessary and appropriate or as may be prescribed.**

Certain welfare measures for the girl child and adolescent girls.

(2) It shall be the duty of every parent of a girl child or adolescent girl covered under this Act,—

(a) **to send the girl child or adolescent girl, as the case may be, to an educational institution for getting education as per her age;**

(b) **not to burden the girl child or adolescent girl, as the case may be, with household chores and allow her to study, play and entertain;**

(c) Not to pledge or force the girl child or adolescent girl, as the case may be, to work as a domestic servant.

(3) No person shall employ a girl child or adolescent girl as domestic servant or in any establishment in any manner whatsoever.

Penalty.

5. Whoever contravenes the provisions of sub-section (2) or (3) of section 4 shall be punishable with imprisonment for a term which shall not be less than one year but may extend upto three years and also with fine which may extend upto two lakh rupees.

Central Government to provide funds.

6. The Central Government shall, after due appropriation made by Parliament by law in this behalf, provide requisite funds, from time to time, to the State Governments for carrying out the purposes of this Act.

Act to supplement other laws.

7. The provisions of this Act shall be in addition to and not in derogation of any other law for the time being in force dealing with the subject matter of this Act.

Power to make rules.

8. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both the Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modifications, or annulment shall be without prejudice to the validity of anything previously done under that rule.

STATEMENT OF OBJECTS AND REASONS

Malnutrition and anaemia is prevalent among the girl child and adolescent girls in all the States and regions of the country. India has the highest number of malnourished and anaemic girl child and adolescent girls. It is very unfortunate that girl child and adolescent girls in major parts of our vast nation remain neglected, malnourished and suffer from anaemia and various diseases. In some parts they are married off before becoming adult and majority of such malnourished *Balika Vadhus* meet pre-natal and post-natal deaths. They are not treated well in their own families. They are either not given nutritious meals or their families cannot afford nutritious meals for them. In some cases, they don't even get two square meals. Majority of them are forced to work as domestic maids etc. They remain illiterate and exploited.

Ours is a welfare State and it is the duty of the State to take care of these malnourished girl child and adolescent girls and initiate welfare measures for them.

Hence this Bill.

NEW DELHI;
June 6, 2019.

SUDHAKAR TUKARAM SHRANGARE

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides that Central Government shall formulate a National policy for the protection and welfare of girl child and adolescent girls. Clause 4 provides for certain welfare measures for the girl child and adolescent girls. Clause 6 makes it mandatory for the Central Government to provide requisite funds for carrying out the purposes of the Bill. The Bill, therefore, if enacted, will involve expenditure from the Consolidated Fund of India. It is estimated that a sum of rupees thirty thousand crore may involve as recurring expenditure per annum.

A non-recurring expenditure to the tune of rupees twenty thousand crore is also likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 8 of the Bill gives power to the Central Government to make rules for carrying out the purposes of the Bill. As the rules will relate to matters of detail only, the delegation of legislative power is of a normal character.

BILL NO. 224 OF 2019

A Bill to provide for special financial assistance to the State of West Bengal for the purpose of promoting the welfare of the Scheduled Castes, the Scheduled Tribes and Other Backward Sections of people; for the development, exploitation and proper utilization of its resources and to relieve its debt burden.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Special Financial Assistance to the State of West Bengal Act, 2019. Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. There shall be paid such sums of moneys out of the Consolidated Fund of India, every year, as Parliament may by due appropriation provide, as special financial assistance to the State of West Bengal to meet the costs of such schemes of development, as may be undertaken by the State with the approval of the Government of India for the purpose of promoting the welfare of Scheduled Castes, Scheduled Tribes and Other Backward Sections of people and for the development, proper utilization and exploitation of the resources in the State.

Special financial assistance to the State of West Bengal.

3. The State of West Bengal shall be given a moratorium on payment of interest on its outstanding debt by the Central Government for a period of three years.

Moratorium on interest payment.

4. The provisions of this Act shall be in addition to and not in derogation of any other law for the time being in force.

Act not in derogation of other laws.

STATEMENT OF OBJECTS AND REASONS

The State of West Bengal is socially and economically backward. The problems of poverty, unemployment and illiteracy are required to be addressed urgently and in a time bound manner. Measures for proper utilization of resources, welfare of weaker sections in the region and initiating new development schemes are also required to be undertaken in an expeditious and time-bound manner. The State of West Bengal has also been facing the problem of naxalite violence for a number of years. In view of its economic backwardness, the naxalites have found sympathetic elements within the population. Therefore, economic backwardness is the root cause of the naxalite problem. It is, therefore, necessary that the Central Government should provide special financial assistance to the State of West Bengal for its all-round development including the welfare of weaker sections and for the development and exploitation of its vast natural resources. Such a step of providing financial assistance to this State would go a long way in building this nation more and more strong.

Further, when the previous Government took charge in 2011, the State of West Bengal had an outstanding debt of rupees two lakh and three thousand crore. As such, the State is required to pay bulk principal and interest at the rate of rupees twenty six thousand crore a year, which is more than the revenue earnings. Therefore, the State of West Bengal also needs a moratorium on its interest repayments for a period of three years in order to overcome its financial problem.

Hence this Bill.

NEW DELHI;
June 12, 2019.

SAUGATA ROY

PRESIDENT'S RECOMMENDATION UNDER ARTICLES 117(1) AND 117(3) OF THE CONSTITUTION

[Copies of Letter No. 42(3) PF-S/2019-20 dated 25 July and 07 October, 2019 from Shrimati Nirmala Sitharaman, Minister of Finance and Corporate Affairs to the Secretary General, Lok Sabha].

I. The President, having been informed of the subject matter of the Special Financial Assistance to the State of West Bengal Bill, 2019 by Prof. Saugata Roy, M.P., recommends consideration of the Bill by Lok Sabha under article 117(3) of the Constitution.

II. The President, having been informed of the subject matter of the Special Financial Assistance to the State of West Bengal Bill, 2019 by Prof. Saugata Roy, M.P., recommends introduction of the Bill in Lok Sabha under article 117(1) of the Constitution.

FINANCIAL MEMORANDUM

Clause 2 of the Bill provides that there shall be paid such sums of moneys out of the Consolidated Fund of India, every year, as Parliament may by due appropriation provide, as special financial assistance to the State of West Bengal to meet the costs of such schemes of development, as may be undertaken by the State with the approval of the Government of India.

The Bill, therefore, on enactment, will involve expenditure out of the Consolidated Fund of India for providing special financial assistance to the State of West Bengal. As the sums of moneys which will be given to the State of West Bengal as special financial assistance by appropriation by law made by Parliament will be known only after the welfare schemes to be implemented by the State Government with the approval of Government of India are identified, it is not possible to give the estimates of recurring expenditure, which would be involved out of the Consolidated Fund of India at this stage. The moratorium would not involve any outgo from the Consolidated Fund, but would only mean deferment of income.

No non-recurring expenditure is likely to be incurred from the Consolidated Fund of India.

BILL No. 113 OF 2019

A Bill to ensure timely payment of dues to workers of tea gardens whose management has been directed by the Central Government to be taken over by the Tea Board vide Central Government Notification S.O. 260 (E) dated 28th January, 2016.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

Short title.

1. This Act may be called the Tea Garden Workers (Timely Payment of Dues) Act, 2019.

2. (1) The Central Government shall, within one month of the coming into force of this Act, take such steps, including confiscation and auction of personal properties of the office bearers of the Tea Companies in the State of West Bengal, as are necessary for payment of wages and other dues to tea garden workers of such companies.

(2) In this section the expression "Tea Companies" means the following Tea Gardens, whose management has been directed by the Central Government to be taken over by the Tea Board vide Central Government Notification S.O. 260 (E) dated 28th January, 2016:—

- (i) Birpara Tea Estate;
- (ii) Garganda Tea Estate;
- (iii) Lankapara Tea Estate;
- (iv) Tulsipara Tea Estate;
- (v) Huntapara Tea Estate;
- (vi) Dhumchipara Tea Estate; and
- (vii) Demdima Tea Estate.

Timely payment of dues to tea garden workers in respect of Tea Companies in the State of West Bengal whose management has been directed by the Central Government to be taken over by the Tea Board.

STATEMENT OF OBJECTS AND REASONS

The Central Government recently notified in the Gazette and authorised the Tea Board to take immediate steps to take over the management of seven tea estates in the State of West Bengal. These gardens belonged to the M/S Duncan Industries Limited, where rupees seventy crores are due to the tea garden workers. But till now, the dues of workers have not been released. A stringent law is necessary to ensure that workers dues are timely paid and workers do not die of starvation.

Hence this Bill.

NEW DELHI;
June 12, 2019.

SAUGATA ROY

FINANCIAL MEMORANDUM

Clause 2 of the Bill provides that the Central Government shall, within one month of the coming into force of this Act, take such steps as are necessary for payment of wages and other dues to tea garden workers. Such steps may include financial assistance from the Central Government. However, at this stage, it is not possible to give the estimates of expenditure which would be incurred from the Consolidated Fund of India.

BILL NO. 194 OF 2019

A Bill to confer right to play sports on every child as enshrined in the United Nations Convention on the Rights of the Child and for matters connected therewith.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Right to Play Sports Act, 2019.

Short title,
extent and
commencement.

(2) It extends to the Union territories only.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Definitions.

2. In this Act, unless the context otherwise requires,—

(a) "child" means a person who has not attained the age of eighteen years;

(b) "local authority" means the body which is vested with general executive powers under any law for the time being in force; or any authority at district level or local level including Municipal Corporation, a Municipal Council, an improvement Board, a Sanitary Board or a Notified Area Committee or a Town Board or a Resident Welfare Association constituted under any law for the time being in force and such other authority as may be specified by the Central Government;

(c) "play" means any freely chosen recreational activity with or without predefined rules; and

(d) "school" means any public or private school under the jurisdiction of local authority.

Right of child to play sports.

3. Every child shall have the right to—

(a) participate in sports at a level commensurate with his ability;

(b) play freely in local areas, parks, green spaces, sport clubs, community centers and Government owned spaces;

(c) get coaching by individuals who are well trained in sport-specific safety and monitored by athletic health care team members; and

(d) participate in sporting activities in safe and healthy environment, both indoor and outdoor.

Central Government to ensure right of child to play sports.

4. The Central Government shall—

(a) ensure that the institutions, services and facilities necessary for the care and protection of children conforms with the standards established by the competent authority in the area of playing sports activities and other recreational activities;

(b) promote and develop sports at the regional level as part of the decentralization process;

(c) provide adequate financial, material and administrative support to regional sports organizations; and

(d) encourage the development of indigenous and traditional sports such as wrestling country-wide.

Right to play in schools.

5. It shall be the responsibility of every school to,—

(a) make sports as an intrinsic part of the fundamental Right to Education;

(b) undertake 'Play-led' Learning Approach to deliver early years learning in schools from a play perspective;

(c) ensure children are provided with an interesting playing environment for breaks during the school day;

(d) provide playing opportunities for specified duration during school hours, weekends and holiday periods with open access to school grounds and use of premises for activities;

(e) provide morning, lunch time and afternoon play breaks;

(f) include sports compulsory in educational curriculum from elementary to higher education;

(g) provide for well trained physical education and sports teachers; and

(h) provide adequate sporting facilities including sports equipment.

102 of 1956

6. (1) The local authority shall assess the sufficiency of playing opportunities under its jurisdiction for children in accordance with provisions of this Act.

(2) In performing its duties under sub-section (1), the local authority shall—

- (a) consider the needs of children who are disabled persons (within the meaning of Rights of Persons with Disabilities Act, 2016);
- (b) consider needs of children of different ages;
- (c) take steps to provide opportunities to children to play within its jurisdiction;
- (d) provide safe environment to play; and
- (e) consult the children, their parents and the local community for ensuring sports activities.

7. (1) The local authority shall develop an action plan and a sports agenda enumerating associated costs, targets, priorities and milestones to achieve play sufficiency under its jurisdiction.

(2) While formulating an action plan under sub-section (1), the local authority shall take into account:—

- (a) national environment and geography of the area;
- (b) built environment and characteristics of the communities;
- (c) demography of the area;
- (d) existing play opportunities and provision; and
- (e) existing organizational structures.

8. (1) Notwithstanding anything contained in any other law for the time being in force, the Central Government shall make rules and regulations for the purpose of providing equitable access to children to open space, both on public or private land, to play and practice recreational activities free of charge.

(2) The open play fields and playgrounds inside the premises of private sports clubs and sports complexes shall be made accessible free of charge for two hours every day.

(3) No child shall be evicted from an open space where he is indulging in playful activity.

9. If any private entity fails to abide by the provisions of section 8, such entity shall be liable to a fine which may extend upto rupees twenty-five thousand.

10. The Central Government shall ensure that a National Play Day is celebrated to create public awareness about the benefits of playing sports.

11. If any difficulty arises in giving effect to the provisions of this Act, the Central Government may make such order or give such direction, not inconsistent with the provisions of this Act, as may appear to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made after the expiry of the period of two years from the date of commencement of this Act.

12. The provisions of this Act and rules made thereunder shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force.

13. (1) The Central Government may, by notification published in the Official Gazette make rules to carry out the provisions of this Act.

(2) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which

Responsibilities of local authority.

Action Plan.

Accessibility to open space.

Penalty.

National Play Day.

Power to remove difficulty.

Act to have overriding effect.

Power to make rules.

may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or regulation or both Houses agree that the rule or regulation should not be made, the rule or regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation.

STATEMENT OF OBJECTS AND REASONS

Article 24 of the United Nations Declaration on Human Rights confer the right to rest and leisure and article 31 of the Convention on Rights of Child recognizes the right of the child to rest and leisure, to engage in play and recreational activities. Right to play sports is an inseparable and intrinsic part of the fundamental right to education.

The need is to realize the provision of quality spaces and time for play to children and young adults for their physical, social and mental development. The need is also to make the Government responsible to make available a conducive environment where children can grow up in conditions where they can exercise their right to play.

With the rise of urbanization, mechanization and dwindling of public spaces, accessibility to public outer spaces has been made a priority through which children from different social backgrounds have open, free and equitable access to the playground. To bring inclusivity of all children, no child shall remain excluded because of issues such as different levels of ability, language, caste or gender. Playing sports may reduce inequalities among children living in families with different background.

One should be able to indulge in play. It is also required to make physical education and sports accessible and guaranteed within the educational system and in holistically making play part of the social life. Sports may not necessarily be an end in itself but a means by which other end such as gender equality, racial equality, health promotion, education development and social cohesion can be achieved and may eventually help in realization of human rights and development goals. Right to Play Sports will elevate the status of physical education, games and sports to a dignified height.

Hence this Bill.

NEW DELHI;
June 27, 2019.

KIRIT PREMJIBHAI SOLANKI

FINANCIAL MEMORANDUM

Clause 4 of the Bill provides for the Central Government to ensure availability of adequate financial, material and administrative support for ensuring right of every child to play sports. The Bill, therefore, if enacted, would involve expenditure from the Consolidated Fund of India. It is estimated that a recurring expenditure of about rupees five hundred crore per annum from the Consolidated Fund of India.

No non-recurring expenditure is likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 13 of the Bill empowers the Central Government to make rules for carrying out the purposes of this Act. As the rules will relate to matters of detail only, the delegation of legislative power is of a normal character.

BILL NO. 208 OF 2019

A Bill to prohibit indecent advertisements depicting vulgarity, obscenity, violent actions or horror, which adversely affect the minds of the citizens particularly of the youth and injure public morality and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Prohibition of Indecent Advertisements Act, 2019. Short title, extent and commencement.
(2) It extends to the whole of India.
(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Definitions.

2. In this Act, unless the context otherwise requires,—

(a) "advertisement" includes any pamphlet, writing, drawing, painting, photograph, bill, circular, notice, label, poster, hoarding, banner or other document and also includes any visible representation made through radio, television, cassettes, slides by means of any light, sound, smoke or gas and publication in print media such as newspapers, magazines and books;

(b) "appropriate Government" means in the case of a State, the Government of that State and in all other cases, the Central Government;

(c) "indecent advertisement" means advertisement depicting in any manner, a horror or vulgar scene or figure form or body of a male or female, whether nude or semi-nude, or any part thereof, which may have the effect of being indecent or derogatory to or denigrating men or women or any religion or is likely to deprave, corrupt or injure public morality or which may induce a person to commit any crime or which may cause road accident; and

(d) "prescribed" means prescribed by rules made under this Act.

Prohibition of indecent advertisement.

3. No person shall publish or cause to be published or arrange or take part in the publication or exhibition of or sticking, writing or painting any advertisement which is indecent in any form.

Prohibition of production, depiction, circulation and distribution of indecent advertisements.

4. No person shall produce or cause to be produced, depict, circulate or distribute any indecent advertisement in any manner.

Power to enter, search, seize and confiscate.

5. (1) Subject to such rules as may be prescribed, any police officer, not below the rank of Inspector, having jurisdiction in such area may—

(a) enter and search at all reasonable times, any place, in which he has reason to believe that an offence under this Act has been or is being committed;

(b) seize and confiscate any advertisement which he has reason to believe contravenes any of the provisions of this Act.

(2) Where any police officer seizes or confiscates any advertisement or material relating thereto under clause (b) of sub-section (1) he shall, as soon as may be, inform the nearest Magistrate and take his orders as to the custody thereof.

Penalty.

6. Any person who contravenes the provisions of section 3 or section 4 shall be punished—

(i) on first conviction with imprisonment for a term which shall not be less than three years but which may extend up to seven years and with fine which shall not be less than thirty thousand rupees but which may extend up to fifty thousand rupees; and

(ii) in the event of second or subsequent conviction with imprisonment for a term which shall not be less than five years but which may extend up to ten years and with fine which shall not be less than fifty thousand rupees but which may extend up to one lakh rupees.

Offences by Companies.

7. Where an offence under this Act has been committed by any company, firm or other association of individuals, every person who, at the time the offence was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against the punished accordingly.

2 of 1974.

8. Notwithstanding anything contained in the Code of Criminal Procedure, 1973 an offence punishable under this Act shall be cognizable and bailable.

Offence to be cognizable and bailable.

9. The provisions of this Act shall be in addition to and not in derogation of any other law for the time being in force regulating any of the matters dealt with in this Act.

10. (1) For the removal of doubts, it is hereby declared that the provisions of this Act shall not apply to advertisements which are aimed at educating the general public or a particular group.

Act not to apply on certain advertisements aimed at public education.

(2) For the purpose of deciding advertisements referred to in sub-section (1), the Central Government shall designate such number of officers, not below the rank of Joint Secretary, as it may deem fit.

11. (1) The Central Government may, by notification in the Official Gazette make rules for carrying out the purposes of the Act.

Power to make rules.

(2) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both the Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

STATEMENT OF OBJECTS AND REASONS

Of late every nook and corner of the country is flooded with all sorts of indecent and vulgar advertisements which are adversely affecting the minds of the people particularly the youth. The newspapers publish advertisements of cabaret dances, obscene adult films with sexy and vulgar titles depicting almost nude and compromising photographs of the scenes of such semi-blue films. Magazines are also publishing indecent advertisements of consumer goods particularly of cosmetic items. The cinema halls are not only showing vulgar, sexy and violent films but are also displaying photographs of vulgar scenes of films in their show windows and in large hoardings outside the cinema halls and other places. Posters of such films are also pasted on every space of the walls everywhere. Advertising agencies are putting large hoardings of indecent advertisements at important intersection of roads and particularly on the sides of busy roads. Sometimes, these indecent advertisements on the roadsides attract the attention of the road users resulting in fatal road accidents. Video cassettes full of indecent advertisements are sold everywhere. Even audio advertisements have become vulgar and indecent. Such advertisements are playing havoc with the minds of the young generation. Attracted with the advertisements, they are committing heinous crimes of theft, murder, rape, dacoity, etc. They are attracted towards smoking, drinking, etc. which ultimately lure them to drug addiction. Such indecent advertisements are also injuring public morality resulting in anger and anguish which became evident when school girls in the capital blackened the indecent film posters and hoardings. It is, therefore, necessary to prohibit such indecent advertisements and prescribe deterrent punishment for the violators so that the society is cleansed of such vulgar displays.

Hence this Bill.

NEW DELHI;
June 27, 2019.

KIRIT PREMJIBHAI SOLANKI

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 11 of the Bill empowers the Central Government to make rules for carrying out the purposes of the Bill. As the rules will relate to matters of detail only the delegation of legislative power is of a normal character.

BILL NO. 196 OF 2019

A Bill to amend the National Food Security Act, 2013.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

Short title and commencement.

1. (1) This Act may be called the National Food Security (Amendment) Act, 2019.

(2) It shall come into force on such date as the Central Government, may by notification in the Official Gazette, appoint.

Amendment of section 2.

2. In section 2 of the National Food Security Act, 2013, (hereinafter referred to as the principal Act),—

20 of 2013.

(a) after clause (7), the following clause shall be inserted, namely:—

"(7a) "high risk districts" means those vulnerable districts identified by the District Nutrition Monitoring Committee and the State Food Commission as

well as corroborated by the National Nutrition Monitoring and Surveillance System.".—

(b) after clause (8), the following clause shall be inserted, namely:—

"(8A) "malnutrition" means,—

(i) in the case of adult with a Body Mass Index (BMI) of below 18.5 and suffering from chronic energy deficiency and under nutrition; or

(ii) in the case of children who have a height-for-age z-score that is at least 2 standard deviation (SD) below the median for the World Health Organisation Child Growth Standards and/or have a weight-for-height z-score that is at least 2 SD below the median for the WHO Child Growth Standards and/or have a weight-for-age z-score that is at least 2 SD below the median for the WHO Child Growth Standards;"; and

(c) after clause (20), the following clause shall be inserted, namely:—

"(20A) "social nutrition audit" means the surveys conducted by the District Nutrition Monitoring Committee to study the prevalence of under nutrition in a district, specifically amongst women and children, in order to suggest qualitative and quantitative remedies and interventions;".

3. After Chapter IV of the principal Act, the following Chapters and sections thereunder shall be inserted, namely:—

Insertion of new Chapter IVA and IVB.

"CHAPTER IVA

NATIONAL NUTRITION MONITORING AND SURVEILLANCE SYSTEM

11A. (1) The Central Government shall, with the assistance of the State Government concerned create a district-level geographic information and digital tracking system to be known as the National Nutrition Monitoring and Surveillance System (hereinafter referred to as the System) in respect of every State based on the information collected and supplied by the State Governments on eligible beneficiaries under sections 9 and 10 of the Act to monitor nutrition level in the country.

Creation of a National Nutrition Monitoring and Surveillance System.

(2) The System shall use indicators and tools such as dashboards and score cards to map and track associated indicators and factors of malnutrition including but not limited to, the following:—

- (a) socio-economic deprivation;
- (b) agrarian distress;
- (c) seasonal migration;
- (d) disruptions in access to services;
- (e) lack of access to social protection measures;
- (f) disease outbreaks;
- (g) endemic disease areas; and
- (h) natural disasters.

11B. The System shall—

Functions of the System.

- (a) undertake real-time digital tracking of the nutrition levels of the population;
- (b) identify districts, blocks and States that are failing to meet the nutritional standards and are at high risk;
- (c) formulate an early warning system to identify nutritional vulnerabilities and ensure timely corrective action; and

(d) create dissemination of the System on Government websites for transparency and accountability.

CHAPTER IVB

DISTRICT NUTRITION MONITORING COMMITTEE

Establishment of a District Nutrition Monitoring Committee.

11C. (1) Every State Government shall, by notification, in the Official Gazette, establish a District Nutrition Monitoring Committee in each district of the State for district-level monitoring of the implementation of the provisions of this Act.

(2) The District Nutrition Monitoring Committee shall consist of—

(a) Chairperson;

(b) the District Grievance Redressal Officer, as appointed under section 15;

(c) one member from the civil services of the Union or the State having knowledge and experience in matters relating to food security, policy making and administration in the field of agriculture, civil supplies, nutrition, health or any allied field, as appointed by the State Food Commission under section 16;

(d) one eminent and/or academic expert with a proven record of work relating to the improvement of food and nutrition rights of the poor; and

(e) five members from the local authorities including municipal corporations, nagar palikas and panchayati raj institutions:

to be appointed by the State Government in such manner as may be prescribed.

(3) The Chairperson shall be elected from amongst the persons appointed under clauses (c) to (e) of sub-section (2).

(4) The salary and allowances payable, method of appointment and other terms and conditions of the Chairperson and other Members of the District Nutrition Monitoring Committee time, place and procedure of meetings of the District Nutrition Monitoring Committee (including the quorum at such meetings) and its powers, shall be such as may be prescribed.

Functions of the District Nutrition Monitoring Committee.

11D. The District Nutrition Monitoring Committee shall,—

(a) monitor and evaluate the implementation of the Act in the district and provide a monthly report and feedback to the State Food Commission in such manner as may be prescribed;

(b) conduct annual social nutrition audit at a district-level to assess the nutritional standards and vulnerabilities of the district population; and

(c) provide nutrition counselling to pregnant and lactating mothers, including fixed Monthly Health and Nutrition Days, as a part of a behavioural change and communication strategy.

Functions of the State Food Commission.

4. In section 16 of the principal Act, in sub-section (6), after clause (f), the following clauses shall be inserted, namely:—

“(g) appoint one member to the District Nutrition Monitoring Committee, from the civil services of the Union or the State having knowledge and experience in matters relating to food security, policy making and administration in the field of agriculture, civil supplies, nutrition, health or any allied field; and

(h) process the monthly reports submitted by the District Nutrition Monitoring Committees, identify the 'high risk' districts, if any, and provide the Central Government with the details of these 'high risk' districts, if any, on a bi-annual basis.”.

5. In section 22 of the principal Act, in sub-section (4), after clause (e), the following clauses shall be inserted, namely:—

A mendment
of section 22.

“(f) provide additional financial and infrastructural support to high risk districts as identified by the concerned District Nutrition Monitoring Committee and the State Food Commission and corroborated by the National Nutrition Monitoring and Surveillance System; and

(g) provide non-financial incentives, as decided upon by the Central Government, to high-performing State Governments, on the basis of the digital and geographic information based on National Nutrition Monitoring and Surveillance System.”.

STATEMENT OF OBJECTS AND REASONS

With the release of the NITI Aayog's National Nutrition Strategy 2017, the Central Government has introduced a renewed focus on the issue of malnutrition in India. While the most recent National Family Health Survey — shows an overall decline in the levels of under-nutrition in women and children, the pace of decline has been slow. According to the United Nations Children's Fund (UNICEF), India has the 10th highest number of underweight children in the world.

As reiterated in the National Nutrition Strategy and the National Health Policy 2017, addressing the problems of malnutrition and under-nutrition requires a comprehensive and concerted effort. With the aim of reducing all forms of malnutrition by the year 2030, a decentralized approach is required that can ensure the provision of nutrition to women and children, especially to protect maternal health. An identification of the most vulnerable sections and districts needs to be carried out in order to create a plan that can target those who need it the most.

The National Food Security Act, 2013 has been enacted to provide for food and nutritional security in human life cycle approach, by ensuring access to adequate quantity of quality food at affordable prices to people to live a life with dignity. However, with increased resources at the State and local self-governments level, a coordinated action plan across different branches of the Government, which includes health services, food, drinking water, sanitation facilities and regular income for livelihoods is required.

The Bill therefore, seeks to amend the National Food Security Act, 2013 with a view to—

- (a) define “malnutrition” in adults and children;
- (b) create a National Nutritional Monetary and Surveillance System; and
- (c) establish a District Nutrition Monetary Committee in each district.

However, increased resources at the State and local self-governments level, a coordinated action plan across different branches of the Government, which includes health services, food, drinking water, sanitation facilities and regular income for livelihoods, is required.

Hence this Bill.

NEW DELHI;
June 27, 2019.

KIRIT PREMJIBHAI SOLANKI

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for setting up of National Nutrition Monitoring and Surveillance System at district level in every State. It also provides for setting up of a District Nutrition Monetary Committee in each district. Clause 5 provides that the Central Government to provide additional financial and infrastructural support to 'high risk' district as identified by the District Nutrition Monitoring Committee and the State Food Commission and corroborated by the National Nutrition Monitoring and Surveillance System.

The Bill, therefore, if enacted, would involve expenditure from the Consolidated Fund of India in implementing the provisions of the Bill. It is likely to involve an annual recurring expenditure of about rupees five hundred crore from the Consolidated Fund of India.

A non-recurring expenditure to the tune of rupees five hundred crore is likely to be involved.

BILL No. 229 OF 2019

A Bill further to amend the Representation of the People Act, 1951.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

Short title
and
commencement.

1. (1) This Act may be called the Representation of the People (Amendment) Act, 2019.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Amendment
of section 62.

2. In section 62 of the Representation of the People Act 1951, in sub-section (5),— 43 of 1951

(a) the words, "or is in the lawfull custody of the police" shall be omitted; and

(b) for the first proviso, the following proviso shall be substituted, namely:—

"Provided that nothing in this sub-section shall apply to a person convicted of an offence punishable with imprisonment for a term not more than five years or subjected to preventive detention under any law for the time being in force:".

STATEMENT OF OBJECTS AND REASONS

There are more than 4 lakh prisoners in the country (419,623, including pre-trial and remand prisoners, according to the National Crime Records Bureau, on 31 December 2015). A person who is an under-trial has no right to vote, but a person who has committed a grave offence and is on a parole, or on a bail has a right to vote. This is a nothing but miscarriage of justice. In a country like India, where the constitution has guaranteed equal rights and equal protection of the same, it seems obnoxious and superfluous if the country does not protect the political rights of its citizens.

The Representation of the People Act, 1951 was enacted to provide for the conduct of elections of the Houses of Parliament and House or Houses or the Legislature of each State, the qualifications and disqualifications for membership of those Houses, the corrupt practices and other offences at or in connection with such elections and the decision on doubts and disputes arising out of or in connection with such elections.

For the purpose of deepening of democracy, it is our duty that we confer the right to elect one's representatives to those who deserve it. Anything less than that it is a hollow system which needs to be rectified with immediate effect. Countries across the world have provided voting rights to people under trial and to prisoners having duration of imprisonment less than five years. So what is stopping us to provide the same.

The Bill, therefore, seeks to amend the Representation of the People Act, 1951 with a view to confer voting rights to every under-trial who is under custody of the police and to the person convicted of an offence punishable with imprisonment for a term not more than five years.

Hence this Bill.

NEW DELHI;
July 3, 2019.

FEROZE VARUN GANDHI

BILL NO. 200 OF 2019

A Bill further to amend the Constitution of India.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

Short title.

1. This Act may be called the Constitution (Amendment) Act, 2019.

Amendment of article 10.

2. In article 10 of the Constitution, the following proviso shall be inserted namely:—

“Provided that a person found guilty by a court of law of indulging in activities posing threat to security and integrity of the country shall cease to be a citizen with immediate effect.”

STATEMENT OF OBJECTS AND REASONS

Article 10 of the Constitution provides for continuance of the rights of citizenship subject to the provisions of any law that may be made by Parliament. It has been observed that persons indulging in activities posing threat to the security and integrity of the country continue to enjoy the rights of citizenship, freedom and other facilities as conferred on them by the Constitution. Continuance of rights of citizenship, in such cases, pose a threat to the security or integrity of the nation. It is, therefore, felt that the Constitution should be amended suitably to deprive such persons of the right of citizenship.

Hence this Bill.

NEW DELHI;
July 16, 2019.

GOPAL CHINAYYA SHETTY

BILL NO. 207 OF 2019

A Bill further to amend the Representation of the People Act, 1951.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Representation of the People (Amendment) Act, 2019.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. After section 16 of the Representation of the People Act, 1951, the following section shall be inserted, namely:—

3 of 1951

“16A. Notwithstanding anything in sections 14, 14A and 15, the Election Commission shall, in consultation with the State Governments, endeavour to conduct elections to the House of the People and to the Legislative Assemblies of all States simultaneously.”.

Short title and commencement.

Insertion of new section 16A.

Simultaneous elections to the House of the People and Legislative Assemblies of all States.

STATEMENT OF OBJECTS AND REASONS

Election is a mandatory process in any vibrant democracy. Healthy and fair elections are the foundation of democracy. It has always been a challenge to conduct a free and fair election in a large country like India. If we look at the election process in our country, we find that elections are held every year in one or another State. The country always remains in electoral mode due to this continuity of elections. This not only affects administrative and policy decisions, but also places a heavy burden on the country's treasury.

One country, one election is not a unique experiment, as it has happened in the years 1952, 1957, 1962, 1967, when the elections to the Lok Sabha and State Assemblies were held simultaneously. This sequence was broken when the Assemblies of some States were dissolved prematurely in 1968-69 due to various reasons.

While on the one hand, some experts believe that now the country's population has increased so much, so that it is not possible to hold all elections simultaneously, on the other, some analysts say that if the country's population has increased, then technology and other resources have also developed simultaneously. Therefore, the possibility of one country one election cannot be ruled out.

One country one election is a development-oriented idea. Due to frequent elections, the model code of conduct has to be implemented repeatedly in the country. Because of this, the Government is unable to take necessary policy decisions and faces problems in implementing various schemes. Due to this, development work is affected.

The model code of conduct is designed to maintain the fairness of elections. Under this, the announcement of a project, the introduction of new schemes or financial approval and the appointment process by the ruling party are forbidden after the Election Commission issues election notification. Therefore, if the Lok Sabha and the State Assemblies elections are held in the country at one go, then the model code of conduct will remain in force for some time, and after this, the development work can be completed uninterrupted.

Conducting simultaneous elections will reduce the huge expenditure incurred in the repeated elections. It is worth-noting that due to frequent elections, the exchequer would bear additional financial burden. Constant increase in expenditure on elections is a proof that it is not good for the economic health of the country.

Holding elections together will help in curbing black money and corruption. By conducting this type of elections simultaneously, such corruption can be overcome.

By holding elections together, there will be no need to repeatedly deploy Government employees and security forces on election duty. The services of teachers and Government employees are sought to conduct elections, which affects their official work. This will save their time and they will also be able to perform their duties properly. In addition to deployment of the large number of police and security forces, life of the general public is also affected by the frequent elections.

Keeping in mind the time consuming and expensive process of elections and the deployment of excessive manpower in it, the general elections for the House of the People and the State Legislative Assemblies not to be held simultaneously. Therefore, there is a need to amend the Representation of People Act, 1951 to achieve the aforesaid objectives.

Hence this Bill.

NEW DELHI;
July 16, 2019.

GOPAL CHINAYYA SHETTY

BILL NO. 198 OF 2019

A Bill further to amend the Constitution of India.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Constitution (Amendment) Act, 2019.

2. After article 21A of the Constitution, the following article shall be inserted, namely,—

“21B.(1) The State shall provide protection to life, property and business of every citizen against the ethnic and social violence and communal and political disturbances.

(2) In case any citizen is deprived of his life, property or business due to any reason mentioned in clause (1), the State shall ensure that adequate compensation, rehabilitation and proper arrangement of livelihood is provided to the victim as soon as possible but in any case within thirty days of the date of occurrence of the incident.”

Short title.

Insertion of
new article
21B.

Protection
from ethnic
and social
violence,
communal and
political
disturbances
and provision
of relief.

STATEMENT OF OBJECTS AND REASONS

Article 21 of the Constitution provides that no person shall be deprived of his life and personal liberty except according to the procedure established by law. Of late, it has been observed that in various parts of the country, incidents of ethnic violence and communal and political disturbances are on the increase leading to a considerable loss of life, property and business of the common citizens. It has been observed that sometimes the victims are not provided with adequate relief in the matter of compensation and rehabilitation measures and they are deprived of even reasonable livelihood. It is the duty of the State to protect the citizens from violence and disturbances which result in human loss, loss to property and business. The Bill, therefore, seeks to amend the Constitution with a view to mandating on the State to protect the citizen's from such violent incidents and also to ensure rehabilitation. measures and compensation to the affected victims within a stipulated time frame.

Hence this Bill.

NEW DELHI;

July 16, 2019.

GOPAL CHINAYYASHETTY

FINANCIAL MEMORANDUM

Clause 2 of the Bill, if enacted, envisages that the State shall ensure that compensation and rehabilitation measures are provided to the victims of ethnic and social violence and communal and political disturbances in the country within the stipulated time frame. As it is very difficult to anticipate such events and also the extent of damages caused due to such incidents, no exact estimate of the expenditure can be made at this stage. However, it is estimated that a recurring expenditure of about rupees seven hundred crore per annum may be required to meet such relief from Consolidated Fund of India.

No non-recurring expenditure, however, is likely to be involved.

BILL No. 205 OF 2019

A Bill further to amend the Constitution of India.

BE it enacted by Parliament in the Seventieth Year of Republic of India as follows:—

1. This Act may be called the Constitution (Amendment) Act, 2019.

Short title.

2. In article 15 of the Constitution, clause (5) shall be omitted.

Amendment of article 15.

3. The existing article 26 of the Constitution shall be renumbered as clause (1) thereof and after clause (1) as so renumbered, the following clauses shall be inserted, namely:—

Amendment of article 26.

"(2) Notwithstanding anything contained in article 25, the State shall not control, administer or manage, whatsoever, any institution, including its properties, established

or maintained for religious or charitable purposes by a religious denomination or any section thereof.

(3) All laws in force in the territory of India in so far as they are inconsistent with the provisions of this article shall, to the extent of such inconsistency, be void.

(4) The State shall not make any law which enables it to control, administer or manage, whatsoever, any institution, including its properties, established or maintained for religious or charitable purposes by a religious denomination or any section thereof, and, any law made in contravention of this clause shall, to the extent of such contravention, be void.

(5) In this article the expressions "law" and "laws in force" have same meaning as respectively assigned to them in clause (3) of article 13. ".

Amendment of article 27.

4. The existing article 27 of the Constitution shall be renumbered as clause (1) thereof and after clause (1) as so renumbered, the following clause shall be inserted, namely:—

"(2) No moneys out of the Consolidated Fund of India, the Consolidated Fund of a State, the Contingency Fund of India or the Contingency Fund of a State or out of the fund of any public body shall be appropriated for advancement or promotion of a section of citizens solely or primarily on the basis of their religious affiliation or belonging to one or more religious or linguistic denomination. ".

Amendment of article 28.

5. In article 28 of the Constitution, after clause (3), the following clause shall be inserted, namely:—

"(4) Nothing in this Constitution shall be deemed to forbid the teaching of traditional Indian knowledge or ancient texts of India in any educational institution, wholly or partly maintained out of State Funds. ".

Amendment of article 29.

6. In article 29 of the Constitution, in the marginal heading, for the words "interests of minorities", the words "cultural and educational rights" shall be substituted.

Amendment of article 30.

7. In article 30 of the Constitution—

(a) in the marginal heading for the word "minorities", the words "all sections of citizens, whether based on religion or language", shall be substituted;

(b) in clause (1), for the word "minorities", the words "sections of citizens" shall be substituted;

(c) in clause (1A) for the words "a minority", the words "a section of citizens" shall be substituted; and

(d) in clause (2), for the words "a minority", the words "a section of citizens" shall be substituted.

STATEMENT OF OBJECTS AND REASONS

As per our Constitution, the State has no religion. The State has to treat all religions and religious people equally and with equal respect without, in any manner, interfering with their right to freedom of religion, faith and worship. As evident from the sub-text of the debates of the Constituent Assembly, the rights assured for the majority were only made explicit to the minorities as an assurance to the latter in the backdrop of the peculiar circumstances then prevailing in the aftermath of partition. In any case, it was never the intention of the makers of our Constitution to deny to the majority the rights expressly provided to the minority. Yet, it gradually led to interpretations that only the minorities were given rights withheld from the majority generating an unhealthy feeling of discrimination among the majority community. It goes without saying that nursing any real or perceived grievance against the State by any section of citizens, majority or minority, is detrimental to the unity and integrity of the country.

Article 26 bestows rights on all religious denominations, irrespective of majority or minority, to establish and maintain institutions for religious and charitable purposes, to manage their own affairs, and to own, acquire and administer property thereof. In a catena of judgements, the Supreme Court iterated the same. In *Ratilal Panachand Gandhi v. State of Bombay*, it was held "in regard to affairs in matters of religion, the right of management given to a religious body is a guaranteed fundamental right which no legislation can take away. On the other hand, as regards administration of property which a religious denomination is entitled to own and acquire, it has undoubtedly the right to administer such property but only in accordance with law. This means that the State can regulate the administration of trust properties by means of laws validly enacted; but here again it should be remembered that under article 26(d), it is the religious denomination itself which has been given the right to administer its property in accordance with any law which the, State may validly impose. A law, which takes away the right of administration altogether from the religious denomination and vests it in any other or secular authority, would amount to violation of the right which is guaranteed by article 26(d) of the Constitution". The apex Court in *Pannalal Bansilal Pitti v. State of Andhra Pradesh* opined "While articles 25 and 26 granted religious freedom to minority religions like Islam, Christianity and Judaism, they do not intend to deny the same guarantee to Hindus. Therefore, protection under articles 25 and 26 is available to the people professing Hindu religion, subject to the law therein. The right to establish a religious and charitable institution is a part of religious belief or faith and, though law made under clause (2) of article 25 may impose restrictions on the exercise of that right, the right to administer and maintain such institution cannot altogether be taken away and vested in other party; more particularly, in the officers of a secular Government".

There has been widespread legitimate grievance and feeling of discrimination among Hindus that despite the Constitutional provisions and judicial decisions, Hindu temples and religious and charitable institutions are routinely taken over by the secular State on the pretext of maladministration, mismanagement, etc., whereas mosques and churches of the minorities are allowed to be exclusively managed by the respective communities even though article 26 confers right equally upon all sections of citizens. Hindus also genuinely feel that such State control results in despoiling the Hindu religious centres, large scale misappropriation of the temples' income and properties and its redirection to secular purposes by the State, which is a major factor in the grinding poverty afflicting most Hindu temples, priests and their families. In order to maintain the secular character of the State and prevent it from usurping the religious and charitable institutions of any religious denomination or a section thereof, it is felt necessary to amend article 26 of the Constitution.

Article 27 provides that no person shall be compelled to pay any taxes, the proceeds of which are specifically appropriated in payment of expenses for the promotion or maintenance of any particular religion or religious denomination. Hon'ble Prime Minister Shri Narendra Modi as the then Chief Minister of Gujarat had in his speech to the National Developmental Council on 19th December 2007 took the stand that discrimination amongst the eligible

beneficiaries based on religion will not help the cause of taking the people of India together on the path of development, and the correct criteria for flow of funds for various schemes and programmes should be based on principles of equity by taking only socio-economic criteria alone. In the interest of maintaining true secular character of the State, there is imperative need for amendment of article 27 forbidding expenditure from the Consolidated or Contingency Fund of Union or any State or from the funds of any public body for any purpose premised solely or primarily on the religious affiliation or language. Language as a primary or sole consideration should also be excluded as certain languages have exclusive association with certain religions which may be used as subterfuge to circumvent the proposed embargo.

Article 28 rightly keeps religious instructions out of public educational system in the country. However, it was never the intention of the framers of the Constitution to keep the study and learning of traditional knowledge systems and civilizational heritage including study of such great texts like the Vedas, the Upanishads, the Mahabharata, the Ramayana, etc. from out of public education system, yet, these have been completely kept out of education system leading to deracination of Indians from their cultural and civilizational moorings which does not augur well for the future of the country. There is thus a case for amendment of article 28 to provide for teaching of our traditional knowledge and ancient texts.

Article 29 confers cultural and educational rights to all sections of citizens, majority or minority, having distinct language, script or culture of their own. However, the word 'minorities' in the marginal heading of article 29 is incongruent with the body of its contents as also with the group heading 'cultural and educational rights'. Such incongruence has the potential for misunderstanding as if these rights are conferred only on minorities. It is, therefore, felt necessary to amend article 29 to remove any doubts.

Our Constitution mandates that the State shall not discriminate on grounds only of religion, race, caste, language or any of them. Article 30, as it stands, confers educational rights on religious and linguistic minorities without saying anything about the majority. If it had not assumed the same rights for the majority, it would not have been passed by the Constituent Assembly. An eleven-Judge Bench of the Supreme Court in *T.M.A. Pai Foundation v. State of Karnataka* expressed an expansive opinion when it said, "The right to establish and maintain educational institutions may also be sourced to article 26(a), which grants, in positive terms, the right to every religious denomination or any section thereof to establish and maintain institutions for religious and charitable purposes, subject to public order, morality and health". Further, the aspirations for conserving and communicating religious and cultural traditions and language to succeeding generations is legitimate and applies to all groups, big or small. It is, therefore, felt that the scope of article 30 of the Constitution should be widened to include all communities and sections of citizens who form a distinct religious or linguistic group. Consequent to such proposed amendment, clause (5) of article 15, inserted by the Constitution (Ninety-third) Amendment Act, 2005, loses its relevance and accordingly it is proposed to omit clause (5) of article 15 of the Constitution.

Hence this Bill.

NEW DELHI;

SATYA PALSINGH

July 18, 2019.

BILL No. 217 OF 2019

A Bill to provide for compulsory teaching of Vedic education in educational institutions and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Compulsory Teaching of Vedic Education in Educational Institutions Act, 2019. Short title, and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Definitions.

2. In this Act, unless the context otherwise requires,—

- (a) "appropriate Government" means in the case of a State, the Government of that State and in all other cases, the Central Government;
- (b) "Council" means the Vedic Educational Council established under section 5;
- (c) "educational institution" means an institution imparting primary, middle, secondary or higher secondary level education to children, by whatever name such institution is called, but does not include a minority educational institution;
- (d) "prescribed" means prescribed by rules made under this Act; and
- (e) "Vedic education" includes knowledge of non-religious character, derived mainly from Vedic literature, Vedic philosophy and Vedic life.

Compulsory teaching of Vedic education in educational institutions.

3. From such date as the Central Government may, by notification in the Official Gazette, specify, the Vedic education shall be taught as a compulsory subject in all educational institutions in such form and manner as may be prescribed by the Central Government on the recommendation of the Council.

Appropriate Government to issue direction for compulsory teaching of Vedic education in educational institutions.

4. The appropriate Government shall, immediately after issuance of the notification under section 3, issue direction for compulsory teaching of Vedic education in all educational institutions within its jurisdiction.

Constitution of Vedic Education Council.

5. (I) The Central Government shall, by notification in the Official Gazette, constitute a Council to be known as the Vedic Educational Council.

(2) The Council shall consist of a chairperson and such number of members, having special knowledge or experience in the fields of history, education or Vedic studies, as the Central Government may deem fit.

Functions of the Vedic Education Council.

6. The Council shall—

- (i) recommend the class from which onwards the Vedic education shall be taught in educational institutions;
- (ii) recommend the syllabus of Vedic education for each class upto senior secondary level;
- (iii) recommend the class or category of students or educational institutions which shall be exempt from the provisions of the Act; and
- (iv) prescribe the principles and standards to be observed for granting accreditation to institutions imparting training to teachers of Vedic education.

Penalty for failure to comply with section 3.

7. The appropriate Government shall, on the recommendation of the Council, derecognise an educational institution or impose such fine as may be prescribed, for failure to comply with the provisions of section 4:

Provided that no educational institution shall be so derecognised or a fine be imposed thereon unless a reasonable opportunity of being heard has been provided to such institution.

Central Government to provide funds.

8. The Central Government shall, after due appropriation made by Parliament by law in this behalf, provide adequate funds to the State Government for carrying out the purposes of this Act.

9. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force.

Act to have overriding effect.

10. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as appear to it to be necessary or expedient for removing the difficulty:

Removal of difficulties.

Provided that no order shall be made under this section after the expiry of a period of two years from the commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

11. (1) The Central Government may, by notification, make rules to carry out the purpose of this Act.

Power to make rules.

(2) Every rule made under this Act shall be laid as soon as may be after it is made before each House of the State Legislature while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions and if, before the expiry of the session immediately following the session or successive sessions aforesaid both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

STATEMENT OF OBJECTS AND REASONS

The Vedic period is considered among the most glorious periods in the Indian history. The period witnessed rise of the Vedic civilization which flourished socially, culturally and educationally. The richness of Vedic culture is so clearly evident in Vedic literature—the Vedas being the most prominent among them. It is not surprising that Vedic philosophy enshrined in Vedic literature pervaded all walks of life. A grave misconception that has subsisted over centuries is that Vedic literature is predominantly religious in character. Rather, the Vedas are eternal and their appeal is universal since they transcend all religions. In fact, the essence or core of all religions, where they all agree, is the true Vedic religion.

Vedas talk about equality, universal brotherhood, harmonious development of life and a rational thinking. The essence of Vedic knowledge, therefore, lies in those philosophical aspects that teach people to lead a life to its perfection. This is exactly what was sought to be achieved by imparting education in gurukuls.

Unlike the modern education, which is largely academic in nature, Vedic education was more comprehensive in nature. It was not intended just to ensure employability of the pupils. Rather, it aimed at formation of individual character and inculcation of a sense of righteousness, self-control and discipline. Towards this end, vedic education touched all aspects of human life—from physical development to sublimation of instincts, commitment to motherland and indebtedness to mother earth.

Thus, the basic idea underlying Vedic education was to create a responsible citizenry, which is relevant to the present times too. For instance, the elimination of ill-gotten wealth is on top of the Government agenda these days. Such ill-gotten wealth was decried in *Atharva Veda* as follows:

"Keep away from me that wealth which brings about my fall, and results in my defame, which entangles me from all sides, and withers me like a parasitic plant, that withers away the supporting tree: so bless me with that wealth which gives peace and joy."

"Wealth obtained by unfair means must be banished from every place. Such wealth should bear indelible markings like being branded by hot iron in order that it is identified and shunned by everybody."

Considering the relevance of the objectives enshrined in the Vedas in the present age and the contribution the Vedic education can make towards the objective of creating a responsible citizenry, the Bill seeks to provide for compulsory teaching of Vedic education in educational institutions.

Hence this Bill.

NEW DELHI;
July 18, 2019.

SATYA PAL SINGH

FINANCIAL MEMORANDUM

Clause 5 of the Bill provides for constitution of the Vedic Education Council consisting of such number of members as may be prescribed. Clause 8 provides that the Central Government shall provide adequate funds to the State Governments for carrying out the purposes of this Act. The Bill, therefore, if enacted, would involve expenditure from the Consolidated Fund of India. It is estimated that an annual recurring expenditure to the tune of rupees fifteen crore would be involved from the Consolidated Fund of India.

A non-recurring expenditure of about rupees two crore is also likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 11 of the Bill empowers the Central Government to make rules for carrying out the purposes of the Bill. As the rules will relate to matters of detail only, the delegation of legislative power is of a normal character.

BILL No. 231 OF 2019

A Bill further to amend the Central Universities Act, 2009.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

Short title
and
commencement.

1. (1) This Act may be called the Central Universities (Amendment) Act, 2019.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

25 of 2009.

2. After section 3D of the Central Universities Act, 2009 (hereinafter referred to as the principal Act) the following sections shall be inserted, namely:—

Insertion of new sections 3E and 3F.

“3E. There shall be established in the Sidhi region of Madhya Pradesh, a University, which shall be a body corporate, to be known as the Central University of Madhya Pradesh, having its territorial jurisdiction extending to the whole of the State of Madhya Pradesh, as specified in the First Schedule to this Act.

Establishment of Central University of Madhya Pradesh.

3F. There shall be established in the Sidhi region of Madhya Pradesh, a Tribal University, which shall be a body corporate, to be known as the Central Tribal University of Madhya Pradesh, having its territorial jurisdiction extending to the whole of the State of Madhya Pradesh, as specified in the First Schedule to this Act, to provide avenues of higher education and research facilities primarily for the tribal population of India.”.

Establishment of Central Tribal University of Madhya Pradesh in Sidhi region.

3. In section 5 of the principal Act, for the existing proviso, the following proviso shall be substituted, namely:—

Amendment of section 5.

“Provided that the Tribal Universities established under sections 3D and 3F shall, in their respective jurisdictions, take additional measures for paying special attention to the tribal centric higher education and research, including art, culture and customs.”

4. In the First Schedule to the principal Act, after entry 12, the following entries shall be inserted, namely:—

Amendment of the first schedule.

“12A. Madhya Pradesh Central University of Whole of the
Madhya Pradesh State of Madhya Pradesh.

12B. Madhya Pradesh Central Tribal University of Whole of the
Madhya Pradesh State of Madhya Pradesh.”.

STATEMENT OF OBJECTS AND REASONS

Establishment of a Central University and a Central Tribal University in Sidhi region of State of Madhya Pradesh will provide access to higher education and improve its quality. It will also facilitate the way for higher education and research facilities for the people of the State. Apart from this, tribal university in the Sidhi region of Madhya Pradesh will provide education and research facilities in tribal art, cultures and customs to tribal population of India and promote advanced knowledge for enrichment of technology. Apart from concentrating on tribal education, all educational and other activities will be implemented in this Central University, like any other Central University. As of now, there is no Central University in the Sidhi region of Madhya Pradesh.

The Bill, therefore, seeks to amend the Central Universities Act, 2009 with a view to provide for the establishment of a University in the Sidhi region of Madhya Pradesh namely “Central University of Madhya Pradesh” and a Tribal University, namely, “Central Tribal University of Madhya Pradesh”.

Hence this Bill.

NEW DELHI;
July 19, 2019.

RITI PATHAK

FINANCIAL MEMORANDUM

Clause 2 of the Bill seeks to insert the new sections 3E and 3F in the Central Universities Act, 2009 so that two new central universities, namely, “Central University of Madhya Pradesh” in Sidhi region and “Central Tribal University of Madhya Pradesh” can be established which shall be the body corporate, whose jurisdiction extends to whole of the State of Madhya Pradesh. It is estimated that a recurring expenditure of about rupees two hundred crores will be involved per annum from the Consolidated Fund of India.

A non-recurring expenditure of about rupees two thousand crores is also likely to be involved.

BILL No. 213 OF 2019

A Bill to provide for stringent punishment to curb atrocities against girl child and women, rehabilitation measures for victims of atrocities and constitution of special courts to try cases of atrocities against women and girl child and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

Short title and extent.

1. (1) This Act may be called the Women and Girl Child (Prevention of Atrocities) Act, 2019.

(2) It extends to the whole of India.

Definitions.

2. (1) In this Act, unless the context otherwise requires,—

(a) 'appropriate Government' means in the case of a State, the Government of that State and in all other cases, the Central Government;

(b) 'atrocity' includes,—

(i) parading any woman or girl child naked or painting their face or body black or similar acts;

(ii) compelling or enticing any woman or girl child to do *begaar* or bonded labour or any work without payment;

(iii) using one's position to harass any woman or girl child or sexually exploit or insult or intimidate with intention to humiliate publicly;

(iv) taking pictures or video without consent, or forcing any woman or girl child into prostitution;

(c) 'girl child' means any female who has not completed the age of eighteen years;

(d) 'stripping' means forcible removing or tearing of cloth or part thereof worn by a girl child or woman with the intention of exposing the body or any part thereof of such girl child or woman, as the case may be;

(e) 'teasing' includes uttering words, song, making the sound of whistle or gesture, exhibiting any object or part of the body, throwing any object or doing any unwanted act to attract the attention of a girl child or woman;

(2) Words and expressions used herein and not defined in this Act but defined in the Indian Penal Code, 1860 or the Code of Criminal Procedure, 1973 shall have the meanings respectively assigned to them in those Acts.

45 of 1860.

2 of 1974.

3. Notwithstanding anything contained in the Indian Penal Code, 1860, any person, who outrages the modesty of any woman or girl child by stripping them publicly shall be punished with imprisonment which shall not be less than five years but may extend to ten years and with fine which may extend to rupees ten lakh.

Punishment for outraging the modesty of a woman or girl child.

45 of 1860.

4. Notwithstanding anything contained in the Indian Penal Code, 1860, any person, who teases any woman or girl child shall be punished with imprisonment which shall not be less than three years and with the fine which shall not be less than rupees two lakh but which may extend to rupees five lakh.

Punishment for teasing of a woman or girl child.

45 of 1860.

5. Notwithstanding anything contained in the Indian Penal Code, 1860, or any other Act, for the time being in force, any person who offers any woman or girl child as *devdasi* or forces them into prostitution shall be punished with imprisonment which shall not be less than three years and with fine which shall not be less than rupees two lakh but which may extend to rupees five lakh.

Punishment for offering any woman or girl child as devdasi or forcing them into prostitution.

45 of 1860.

6. Notwithstanding anything contained in the Indian Penal Code, 1860, any person, who commits any atrocity on any woman or girl child at any place and at any point of time shall be punished with imprisonment which shall not be less than five years and with fine which may extend to rupees five lakh.

Punishment for committing atrocity on a woman or girl child.

45 of 1860.

7. Notwithstanding anything contained in the Indian Penal Code, 1860, any person who commits the offence of rape on any woman or girl child shall be punished with death.

Punishment for committing rape on a woman or girl child.

8. Whoever, being a public servant, is convicted of wilfully neglecting his duties required to be performed under this Act, shall be,—

(a) dismissed from service; and

(b) punished with imprisonment for a term, which shall not be less than one year but may extend to three years and also with fine which may extend to rupees two lakh.

Punishment for public servant for wilfully neglecting his duties.

Establishment of special courts.

Offence to be cognizable and non-bailable.

Relief and rehabilitation measures.

Central Government to provide funds.

Act to have overriding effect.

Act to supplement other laws.

Power to make rules.

9. The appropriate Government shall, with the concurrence of the concerned High Court, by notification in the Official Gazette, establish a Special Court in each district to try offences under this Act.

10. Notwithstanding anything contained in the Code of Criminal Procedure, 1973, an offence under this Act shall be cognizable and non-bailable.

2 of 1974.

11. (1) The appropriate Government shall provide such relief to the victims under this Act by framing appropriate schemes as may be notified, from time to time.

(2) Without prejudice to the generality of the foregoing provision, the relief and rehabilitation measures shall include,—

(a) free medical facilities;

(b) free boarding and lodging facilities;

(c) recreational facilities;

(d) vocational training;

(e) employment in deserving cases; and

(f) such other facilities as the appropriate Government may deem necessary and expedient to provide for the purposes of this Act.

12. The Central Government shall, after due appropriation made by Parliament by law in this behalf, provide requisite funds to the State Governments for carrying out the purposes of this Act.

13. Save as otherwise provided in this Act, the provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or any custom or usage or any instrument having effect by virtue of any other law.

14. The provisions of this Act shall be in addition to and not in derogation of any other law for the time being in force.

15. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both the Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

STATEMENT OF OBJECTS AND REASONS

In our society, despite reforms and awakening, it is very unfortunate that young girls and women are still most vulnerable to various atrocities and violence. Teasing and molesting them even at public places, public transport, etc. have become order of the day. These teasers have become fearless. The anti-social elements pass vulgar remarks, make obscene gestures and meddle hastily with girls and women, which many a time cause bodily injury to them. No person, who witnesses these incidents, dares to come to rescue of such hapless girls or women. They are subjected to all kinds of torture in public transport, public places. Most of these cases go unreported. Many a time women are reportedly stripped and paraded naked in villages and streets and beaten ruthlessly. In some parts of the country, the women are being branded as witches and killed ruthlessly which needs to be dealt with severely by providing deterrent punishment. Similarly, in some parts of the country, girls are offered as *devdasis* to deities in the temples which ultimately makes them sex workers. Similarly, young girls and women are abducted and forced into prostitution. The number of cases of rape of girl child and women are increasing rapidly. Some of these girls and women are brutally killed after rape. There is no fear of law among the rapists. Hence, it has become necessary to provide deterrent punishment for the perpetrators of atrocities against the girl child and women in order to restore a respectable position to the women and girl child in the society. It is expected that such stringent measures will curb the atrocities against the girl child and women in the society.

Hence this Bill.

NEW DELHI;
July 19, 2019.

RITI PATHAK

FINANCIAL MEMORANDUM

Clause 9 of the Bill provides for the establishment of Special Courts. Clause 11 provides for relief and rehabilitation measures for victims by the appropriate Government. Clause 12 provides that the Central Government shall provide requisite funds to the State Governments for carrying out the purposes of the Bill. The Bill, therefore, if enacted, will involve expenditure from the Consolidated Fund of India. It is estimated that a sum of rupees five thousand crore will be involved as recurring expenditure per annum from the Consolidated Fund of India.

A sum of rupees seven thousand crore will also be involved as non-recurring expenditure.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 15 of the Bill empowers the Central Government to make rules for carrying out the purpose of the Bill. As the rules will relate to matters of detail only, the delegation of legislative power is of a normal character.

BILL No. 197 OF 2019

A Bill further to amend the Constitution of India.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

1. This Act may be called the Constitution (Amendment) Act, 2019. Short title.

2. After article 30 of the Constitution, the following heading and article thereunder shall be inserted, namely:—

"Right to water and sanitation

30A. (1) Every citizen shall have access to adequate potable water and sanitation.

(2) The State shall, within two years of the coming into force of the Constitution (Amendment) Act, 2019, by law, ensure proper implementation and monitoring of the right to potable water and sanitation.

Right to clean

drinking
water and
sanitation.

Insertion of
new article
30A.

(3) For the purposes of implementation and monitoring of the right to potable water and sanitation,—

(i) the Central Government shall ensure that,—

(a) sufficient funds are provided to the State Governments;

(b) Sanitation and Water Service Authority be constituted at the national level to oversee the implementation and monitoring of the right to potable water and sanitation;

(c) a permanent River Authority is constituted at the national level to ensure proper cleaning and maintenance of inter-State rivers and to decide on the distribution of water of such rivers among the riparian States;

(ii) every State Government shall ensure that,—

(a) the funds provided by the Central Government are distributed to the *Panchayats* in an equitable manner for providing water and sanitation facilities in each district;

(b) local bodies within the State constitute special Sanitation and Water Service Authorities at the district level with the following functions:—

(i) to arrange adequate number of piped water connections;

(ii) to remove refuse from premises;

(iii) to sweep and water streets;

(iv) to provide and maintain at suitable places facilities for deposit, disposal or destruction of refuse;

(v) to provide and maintain public drinking water facilities and public sanitary conveniences; and

(vi) every person or authority responsible for providing or maintaining or monitoring water and sanitation facilities under the law is held liable in the event of failure to perform his functions under the law.

Explanation.—In this article, the expression "State Government", in the case of a Union territory means the "Union territory administration.".

STATEMENT OF OBJECTS AND REASONS

Access to clean drinking water and sanitation is essential for dignified living of human beings on the earth. Lack of water and sanitation facilities lead to various health hazards and make people vulnerable to diseases particularly water borne diseases. In our country water resources are adequate. However, due to ineffective implementation of water and sanitation management policies, the water resources have remained untapped for human use. Therefore, there is an acute shortage of drinking water in almost every part of the country.

The right to clean drinking water and sanitation does not find any explicit mention in our national law and is also not enshrined as a fundamental right in our Constitution. However, the courts in India including the Supreme Court have interpreted article 21 of the Constitution as encompassing the right to safe water and sanitation.

While citizens have the right to access to safe and clean drinking water, the right to sanitation is equally important. The people should also have facilities and services like collection, transport, treatment and disposal of human excreta, domestic waste water and solid waste and associated hygiene promotion. Water must also be available for good personal hygiene. Toilets must be within or in the immediate vicinity of each household or workplace. Above all, access to clean drinking water and sanitation facilities must be affordable.

It is true that several social and economic rights take years to be realized fully. There is no dispute that the Union Government as well as the State Governments are making continued efforts to provide clean drinking water and sanitation facilities to citizens. However, these basic rights are still not available to the citizens in absolute terms. It is, therefore, necessary that some time limit be imposed on the State within which the citizens must start enjoying these rights as fundamental rights. Such an amendment of the Constitution would ensure better services by the authorities responsible for implementing and monitoring the water and sanitation schemes as there would be a fear of being dragged to the courts for violation of fundamental rights of citizens.

Hence this Bill.

NEW DELHI;
July 19, 2019.

RITI PATHAK

FINANCIAL MEMORANDUM

Clause 2 of the Bill provides that Central Government shall provide sufficient funds to the State Governments. It also provides for constitution of Sanitation and Water Service Authority and River Authority at National level by the Central Government. It further provides that Sanitation and Water Service Authorities are constituted within the State by the local bodies at the district level to arrange adequate number of piped water connection, provide and maintain public drinking water facilities, etc. The expenditure relating to States shall be borne out of the Consolidated Funds of the States concerned. However, the expenditure relating to Union territories shall be borne out of the Consolidated Fund of India. The Bill, therefore, if enacted, will involve expenditure from the Consolidated Fund of India. It is estimated that a recurring expenditure of about rupees five hundred crore would be involved from the Consolidated Fund of India.

A non-recurring expenditure of about rupees five hundred crore is also likely to be involved.

Bill No. 211 of 2019

A Bill to provide for certain welfare measures and other facilities for Opium growers and for matters connected therewith.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Opium Growers (Welfare) Act, 2019.

Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. In this Act, unless the context otherwise requires,—

Definitions.

(a) "appropriate Government" means in the case of a State, the Government of that State and in other cases, the Central Government;

(b) "Committee" means the Opium Development Committee constituted under section 3;

(c) "opium" means opium and its products, by-products and extracts;

(d) "prescribed" means prescribed by rules made under this Act; and

(e) "Scheme" means the Opium Growers Welfare Scheme formulated under section 3.

Opium Growers Welfare Scheme. **3. (I) The Central Government shall formulate a Scheme for the welfare of opium growers to be known as the Opium Growers Welfare Scheme.**

(2) The Scheme shall be administered by a Committee to be known as the Opium Development Committee.

(3) The Committee shall consist of—

(i) a Chairperson, who shall be nominated by the Central Government;

(ii) one member, representing the Central Bureau of Excise and Custom, Department of Revenue, Ministry of Finance of the Central Government;

(iii) two members, representing the Government of the opium growing States, to be nominated by the Central Government;

(iv) two members representing opium agriculturists who are growing opium on large scale from each opium growing State; and

(v) two members representing small opium growers from each opium growing State.

(4) The Chairperson and members of the Committee shall be nominated by the Central Government in such manner as may be prescribed.

(5) The salary and allowances payable to, and other conditions of service of the Chairperson and members of the Committee, shall be such as may be prescribed.

4. Without prejudice to the powers of the Central Government, the Scheme shall provide for:—

(i) a comprehensive insurance scheme for loss or destruction of opium crop;

(ii) technical and other kind of specialized assistance to opium growers;

(iii) fixing minimum support price for Opium;

(iv) creation of adequate procurement and storage facility for Opium;

(v) assistance for export of opium and its products;

(vi) encouraging research in opium related fields with a view to promote its legal use;

(vii) adequate marketing facilities for opium growers; and

(viii) electricity and water facilities to opium growers at subsidized rate.

5. The Central Government shall, after due appropriation made by Parliament by law in this behalf, provide adequate funds for carrying out the purposes of this Act.

Central Government to provide funds.

Power to make rules.

6. (I) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both the Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

STATEMENT OF OBJECTS AND REASONS

Under the United Nations Single Convention on Narcotic Drugs, 1961, India is among the twelve countries in the world allowed to grow opium poppy for medicinal use. However, India is the only nation allowed to extract gum opium. Skilled workers extract the latex that contains seventy per cent. of the morphine synthesized by the lancing its flower-bearing pod.

Opium poppy, or *papaver somniferum*, a medicinal herb that produces a variety of alkaloids such as morphine and codeine, is best known as a pain reliever in modern medicine. It is used for a range of treatments, from post-operative pain management and palliative care for terminal cancer patients to treating accident-related trauma and chronic pain syndromes. Opioids like morphine play a vital role in pain management and they are not expensive for patients. Legal opium farming in India is largely concentrated in five districts spread across the State of Madhya Pradesh and Rajasthan.

The opium farmers guard the fields at night to protect the harvest from thieves and wild animals but in return get a pittance. Even if a farmer follows all rules, there are chances of being booked under the Narcotic Drugs and Psychotropic Substances Act, 1985 or have their licence cancelled.

The wide difference between the prices in the illegal market and Government rates is what drives corruption along the chain from farmers and agricultural labourers to police and officers in the opium plantation controlling department. Moreover, opium farmers complains that if a crop is damaged due to a hailstorm or a pest attack, it is their responsibility to get officials from the narcotics bureau to inspect and destroy the crop, as at a later stage if the farmer is unable to submit the opium, he could face criminal charges.

The Bill, therefore, seeks to formulate a Opium Growers Welfare Scheme for the welfare of opium growers in the country.

Hence this Bill.

NEW DELHI;
August 1, 2019

C.P. JOSHI

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for the formulation of a welfare scheme for opium growers. It also provides for the constitution of a Committee to administer the scheme. Clause 4 provides for the activities to be undertaken under the scheme. Clause 5 provides that the Central Government shall provide adequate funds for the purposes of this Act. The Bill, therefore, if enacted, would involve expenditure from the Consolidated Fund of India. It is likely to involve a recurring expenditure of about rupees one hundred crore per annum from the Consolidated Fund of India.

A non-recurring expenditure of about rupees one hundred crore is also likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 6 of the Bill empowers the Central Government to make rules for carrying out the purposes of the Bill. As the rules will relate to matters of detail only, the delegation of legislative power is of a normal character.

BILL NO. 225 OF 2019

A Bill to provide for special financial assistance to the State of Rajasthan to meet the costs of repairs, renovations and preservation of ancient and historical monuments and archaeological sites and remains including excavation of new archaeological sites and remains situated in the State of Rajasthan.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Special Financial Assistance for Ancient Monuments and Archaeological Sites and Remains in the State of Rajasthan Act, 2019.

Short title and commencement.

(2) It shall come into force on such date, as the Central Government may, by notification in the Official Gazette, appoint.

2. In this Act, unless the context otherwise requires “ancient monument” means any structure, erection or monument, or any tumulus or place of interment, or any cave,

Definition.

rock-sculpture, inscription or monolith which is of historical, archaeological or artistic interest and which has been in existence for not less than one hundred years and includes:—

- (i) remains of an ancient monument;
- (ii) site of an ancient monument;
- (iii) such portion of land adjoining the site of an ancient monument as may be required for fencing or covering in or otherwise preserving such monument; and
- (iv) the means of access to, and convenient inspection of, an ancient monument.

Special financial assistance to the State of Rajasthan.

Act not in derogation of any other law.

3. There shall be paid such sums of moneys out of the Consolidated Fund of India, every year, as Parliament may be due appropriation provide, as special financial assistance to the State of Rajasthan to meet the costs of repairs, renovations and preservation of ancient and historical monuments and archaeological sites and remains including excavation of new archaeological sites and remains situated in the State of Rajasthan, as may be undertaken by the State with the approval of the Central Government.

4. The provisions of this Act shall be in addition to and not in derogation of any other law for the time being in force.

STATEMENT OF OBJECTS AND REASONS

The State of Rajasthan is one of the favourite destinations of tourists, both domestic and foreign. Rajasthan is famous for its rich culture and tradition, fairs and festivals worldwide. The different tourist destinations attract the tourists because of various reasons including its ancient and historical monuments and archaeological sites and remains.

At present, the Archaeological Survey of India is looking after the maintenance and conservation of 161 monuments/sites. These monuments and archaeological remains of diverse nature are located in the region since prehistoric times and are scattered from Dholpur in the east to Jaisalmer in the west and Ganganagar in the north and Banswara in the south of Rajasthan.

Taking care of the monuments is an important duty that devolves on the respective State Government as well as the Central Government. It needs funds to engage people who can look after monuments, ensure that the miscreants do not harm them, as also to get the damaged portion repaired from expert designers and engineers. The Central Government must provide adequate funds for each monument.

The proper upkeep and maintenance of ancient and historical monuments and archaeological sites and remains in Rajasthan shall boost heritage tourism which will in turn increase employment, revenue generation and local business in Rajasthan.

It is, therefore, necessary that the Central Government should provide special financial assistance to the State of Rajasthan to meet the costs of repairs, renovations and preservation of ancient and historical monuments and archaeological sites and remains including excavation of new archaeological sites and remains situated in the State of Rajasthan.

Hence this Bill.

NEW DELHI;
August 1, 2019

C.P. JOSHI

FINANCIAL MEMORANDUM

Clause 2 of the Bill provides that there shall be paid such sums of money out of the Consolidated Fund of India, every year, as Parliament may by due appropriation provide, as special financial assistance to the State of Rajasthan to meet the costs of repairs, renovations and preservation of ancient and historical monuments and archaeological sites and remains including excavation of new archaeological sites and remain situated in the State of Rajasthan, as may be undertaken by the State with the approval of the Government of India.

The Bill, therefore, on enactment, will involve expenditure out of the Consolidated Fund of India. As the sums of moneys which will be given to the State of Rajasthan as special financial assistance by appropriation by law made by Parliament will be known only after the plans to be implemented by the State Government with the approval of Government of India are identified, it is not possible at present to give the estimates of recurring expenditure, which would be involved out of the Consolidated Fund of India at this stage.

No non-recurring expenditure is likely to be incurred from the Consolidated Fund of India.

SNEHLATA SHRIVASTAVA,
Secretary General.